REPORT

ON THE

ADMINISTRATION OF CRIMINAL JUSTICE

IN THE

PANJAB AND ITS DEPENDENCIES,

DURING THE YEAR

1873.

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1874.

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Imperial Returns.

No. 1.—Statement showing the various Judicial Tribunals, Original and Appellate.

No. 2.—Statement of offences reported, and of persons tried, convicted and acquitted.

No. 3.—Statement showing the general result of Criminal trials in the tribunals of various classes.

No. 4.—Statement showing the punishments inflicted by various Criminal tribunals.

No. 5.—Statement showing the result of appeal and revision in Criminal cases.

No. 11.—Statement showing the use of Juries and Assessors in Criminal Courts.

APPENDIX II.

Extracts from Local Reports.

I.—Crime, general and particular.

II.—Procedure.

III.—Punishments.

IV.—Preventive jurisdiction.

V.—Appeals.

VI.—General.

Proceedings of the Hon'ble the Lieutenant Governor, in the Judicial Department, No. 2,023 dated 26th May 1874.

No. 635.

FROM

E. H. HARRISON, ESQUIRE,

Officiating Registrar Chief Court, Punjáb.

To

T. H. THORNTON, ESQUIRE,

Secretary to Government, Punjáb.

Dated Lahore, the 26th March 1874.

SIR,

I am directed to submit the usual Statements and Report of the Criminal Administration of the Panjáb for the year 1873.

2. The Imperial Returns are placed together at the end in Appendix I, all other Statements being included in the body of the Report.

3. The subjects are briefly treated of in the following order:—

I. Original jurisdiction of Magistrates and Sessions Judges.
II. Procedure of the Courts of ditto ditto.
III. Punishments awarded by ditto ditto.
IV. Preventive jurisdiction of Magistrates.
V. Appellate jurisdiction of Sessions Judges and Magistrates.
VI. Chief Court jurisdiction.
VII. General.

4. In Appendix II will be found extracts from the District and Divisional Reports, arranged under the following heads:—

I.—Crime, general and particular.
II.—Procedure.
III.—Punishments.
IV.—Preventive Jurisdiction.
V.—Appeals.
VI.—General.

I.—Original Jurisdiction of Magistrates and Sessions Judges.

Cases and persons brought to trial.

5. The following comparative table shews for the province the number of cases reported and struck off the register of offences at the request of the police; and the cases and persons brought to trial, during the years 1872 and 1873.

1	2	3	4	5	6	7
Nature of offences.	Year.	Offences reported.	Offences admitted to have occurred.	Offences struck off the Register.	Cases brought to trial.	Persons brought to trial.
Non-bailable	1872	34,944	32,160	2,784	17,425	27,560
	1873	34,292	31,194	3,098	16,613	26,625
Bailable	1872	48,013	47,376	637	45,553	1,00,464
	1873	59,694	58,961	733	56,186	1,23,418
Total	1872	82,957	79,536	3,421	62,978	1,28,024
	1873	93,986	90,155	3,831	72,799	1,50,043
Difference		+11,029	+10,619	+410	+9,821	+22,019

6. Taking bailable and non-bailable offences together, there is an increase in offences admitted to have occurred of 13 per cent.

The increase however is entirely in the less heinous, *viz*: bailable offences. In non-bailable offences there is an actual decrease of 1·8 per cent.

7. It is to be regretted that in columns 6 and 7 of the Statement (cases and persons brought to trial) are included cases which were pending at the end of the preceding year, so that it is impossible to say accurately what proportion of the offences which are admitted to have occurred was brought to trial.

Offences struck off the register on application of police.

8. The proportion of offences of all kinds struck off the register upon application of police to offences reported is substantially the same as last year, *viz*: a little over four per cent. In the case of non-bailable offences however the per-centage has risen from eight to nine. The proportion in this class of offences is highest in the following districts:—

Sháhpur	...	...	22 per cent.
Hoshiárpur	...	...	19 „
Jálandhar	...	...	18 „
Siálkot	...	...	18 „

and is lowest in the following districts:—

Kohát	...	...	2 per cent.
Fírozpur	...	...	2 „
Ambálah	...	...	3 „

The fluctuation in different districts for the year and in the same district for different years is considerable; and the Chief Court are unable to assign any reason for it. Enquiry is being made.

The high per-centage in Shahpur is attributed to the number of hastily reported cattle thefts, which upon investigation turn out to be unfounded; but no reason is shewn why reports should be made more hastily in this district than elsewhere.

Cases and persons brought to trial.

9. The following Statement shews the number of cases and persons brought to trial for non-bailable and bailable offences, and the result of the trials, in each district of the province;—the figures of the year 1872 being added for the sake of comparison.

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
Number.	Division.	Districts.	Number of cases brought to trial.			Number of persons brought to trial.			Disposed of.										Persons remaining under trial.		Date of oldest case pending.
									Persons committed to the Sessions for trial.			Persons convicted.			Persons acquitted and discharged.						
			Non-bailable.	Bailable.	Total.	For non-bailable offences.	For bailable offences.	Total.	For non-bailable offences.	For bailable offences.	Total.	Of non-bailable offences.	Of bailable offences.	Total.	Of non-bailable offences.	Of bailable offences.	Total.	Number of persons who died, escaped or were transferred.	For non-bailable offences.	For bailable offences.	
1	DELHI.	Dehli ... 1872	566	1,943	2,509	861	3,611	4,472	48	7	55	531	2,339	2,870	279	1,240	1,519	18	2	9	21st November 1872.
		1873	608	2,039	2,647	917	4,121	5,038	20	...	20	622	2,302	2,924	267	1,807	2,074	8	6	6	13th September 1873.
2		Gurgáon ... 1872	330	831	1,170	528	2,134	2,662	26	...	26	348	1,205	1,553	122	868	990	18	20	55	6th August 1872.
		1873	401	1,000	1,401	646	2,511	3,157	30	3	33	365	1,003	1,368	230	1,282	1,712	15	10	19	14th October 1873.
3		Karnál ... 1872	351	526	877	558	1,207	1,765	14	...	14	348	692	1,040	174	504	678	11	14	8	25th November 1872.
		1873	434	955	1,389	760	2,010	2,770	30	6	36	441	1,106	1,547	279	889	1,168	12	2	5	10th December 1873.
		Total ... 1872	1,266	3,290	4,556	1,947	6,952	8,899	88	7	95	1,227	4,236	5,463	575	2,612	3,187	47	36	72	
		1873	1,443	3,994	5,437	2,323	8,642	10,965	80	9	89	1,428	4,411	5,839	776	4,178	4,954	35	18	30	
		Difference ...	+177	+704	+881	+376	+1,690	+2,066	—8	+2	—6	+201	+175	+376	+201	+1,566	+1,767	—12	—18	—42	
4	HISSAR.	Hissár ... 1872	342	541	883	562	1,161	1,723	18	2	20	386	665	1,051	154	483	637	3	1	11	18th December 1872.
		1873	324	753	1,077	537	1,694	2,231	18	4	22	328	991	1,319	171	678	849	29	1	11	9th October 1873.
5		Rohtak ... 1872	225	609	834	393	1,456	1,849	54	10	64	229	1,015	1,244	98	423	521	12	5	3	23rd December 1872.
		1873	215	744	959	329	2,547	2,876	1	...	1	220	1,733	1,953	95	803	898	5	8	11	10th September 1873.
6		Sirsa ... 1872	315	324	639	509	658	1,167	10	...	10	366	362	728	116	296	412	4	10	...	2nd December 1872.
		1873	250	292	542	405	546	951	22	...	22	249	240	489	120	294	414	8	8	10	3rd November 1873.
		Total ... 1872	882	1,474	2,356	1,464	3,275	4,739	82	12	94	981	2,042	3,023	368	1,202	1,570	22	16	14	
		1873	789	1,789	2,578	1,271	4,787	6,058	41	4	45	797	2,964	3,761	386	1,775	2,161	42	17	32	
		Difference ...	—93	+315	+222	—193	+1,512	+1,319	—41	—8	—49	—184	+922	+738	+18	+573	+591	+20	+1	+18	

7	AMBÁLAH.	Ambálah	1872	750	1,842	2,592	1,084	4,313	5,377	35	20	55	732	2,809	3,631	284	1,370	1,654	7	8	22	6th December 1872.
			1873	730	2,802	3,532	1,013	5,303	6,316	21	9	30	712	3,770	4,482	264	1,501	1,765	1	16	22	30th October 1873.
8		Ludiánah	1872	563	1,430	1,993	909	2,745	3,645	66	12	78	605	1,430	2,035	216	1,292	1,508	3	10	11	19th December 1872.
			1873	446	1,893	2,339	702	3,604	4,306	17	11	28	499	2,020	2,519	177	1,564	1,741	2	8	8	21st August 1873.
9		Simla	1872	169	981	1,150	216	2,247	2,463	6	...	6	141	1,863	2,004	62	376	438	5	5	5	4th March 1872.
			1873	135	1,010	1,145	163	2,047	2,210	7	...	7	104	1,531	1,635	48	496	544	10	2	12	13th September 1873.
		TOTAL	1872	1,482	4,253	5,735	2,180	9,305	11,485	107	32	139	1,478	6,192	7,670	562	3,038	3,600	15	23	38	
			1873	1,311	5,705	7,016	1,878	10,954	12,832	45	20	65	1,315	7,321	8,636	489	3,561	4,050	13	26	42	
		DIFFERENCE		—171	+1,452	+1,281	—302	+1,649	+1,347	—62	—12	—74	—163	+1,129	+966	—73	+523	+450	—2	+3	+4	
10	LUDIANAH.	Jálandhar	1872	458	1,973	2,431	651	4,630	5,281	36	19	55	393	1,973	2,366	177	2,623	2,800	35	10	15	10th November 1872.
			1873	468	1,867	2,335	630	3,956	4,586	31	9	40	399	1,911	2,310	164	2,020	2,184	18	18	16	11th December 1873.
11		Hoshiárpúr	1872	529	2,816	3,345	870	6,003	6,873	28	7	35	481	1,913	2,394	284	3,884	4,168	37	52	167	4th November 1872.
			1873	496	2,995	3,491	757	7,159	7,916	44	3	47	474	2,542	3,016	205	4,435	4,640	26	9	178	10th November 1873.
12		Kangra	1872	312	1,933	2,245	444	4,928	5,372	19	17	36	276	2,740	3,016	141	2,156	2,297	2	7	14	7th November 1872.
			1873	358	1,944	2,302	518	4,220	4,738	5	2	7	362	2,393	2,755	139	1,810	1,949	1	12	14	6th December 1873.
		TOTAL	1872	1,299	6,722	8,021	1,965	15,561	17,526	83	43	126	1,150	6,626	7,776	602	8,663	9,265	74	69	216	
			1873	1,312	6,806	8,118	1,905	15,335	17,240	80	14	94	1,235	6,846	8,081	508	8,265	8,773	45	39	208	
		DIFFERENCE		+13	+84	+97	—60	—226	—286	—3	—29	—32	+85	+220	+305	—94	—398	—492	—29	—30	—8	
13	AMRITSAR.	Amritsar	1872	891	3,588	4,479	1,355	8,169	9,523	53	14	67	774	2,528	3,302	489	5,582	6,071	6	34	43	5th November 1872.
			1873	916	5,731	6,647	1,304	12,098	13,402	34	4	38	727	3,835	4,562	519	8,209	8,728	9	19	46	4th May 1873.
14		Gurdaspur	1872	660	2,441	3,101	987	4,328	5,315	60	18	78	528	1,283	1,811	325	2,965	3,290	77	3	56	25th May 1872.
			1873	496	2,801	3,297	952	5,696	6,648	9	2	11	596	1,621	2,217	309	3,956	4,265	15	23	117	9th October 1873.
15		Sialkot	1872	848	2,510	3,358	1,190	4,473	5,663	28	11	39	857	1,308	2,165	265	3,066	3,331	42	10	76	21st November 1872.
			1873	728	2,933	3,661	1,058	5,401	6,459	7	...	7	722	1,221	1,943	304	4,080	4,384	97	11	77	15th November 1873.
		TOTAL	1872	2,399	8,539	10,938	3,532	16,969	20,501	141	43	184	2,159	5,119	7,278	1079	11,613	12,692	125	47	175	
			1873	2,140	11,465	13,605	3,314	23,195	26,509	50	6	56	2,045	6,677	8,722	1,132	16,245	17,377	61	53	240	
		DIFFERENCE		—259	+2,926	+2,667	—218	+6,226	+6,008	—91	—37	—128	—114	+1,558	+1,444	+53	+4,632	+4,685	—64	+6	+65	

(3)

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
			Number of cases brought to trial.			Number of persons brought to trial.			Disposed of.										Persons remaining under trial.		
									Persons committed to the Sessions for trial.			Persons convicted.			Persons acquitted and discharged.						
Number.	Division.	Districts.	Non-bailable.	Bailable.	Total.	For non-bailable offences.	For bailable offences.	Total.	For non-bailable offences.	For bailable offences.	Total.	Of non-bailable offences.	Of bailable offences.	Total.	Of non-bailable offences.	Of bailable offences.	Total.	Number of persons who died, escaped or were transferred.	For non-bailable offences.	For bailable offences.	DATE OF OLDEST CASE PENDING.
16	LAHORE.	Lahore ... 1872	1,337	2,485	3,822	2,148	5,261	7,409	171	48	159	1,338	3,359	4,697	679	1,846	2,525	4	17	7	20th November 1872.
		1873	1,132	3,341	4,473	1,714	7,000	8,714	64	14	78	1,151	4,909	6,060	463	2,063	2,526	21	15	14	12th November 1873.
17		Firozpur ... 1872	825	1,373	2,198	1,108	2,377	3,485	23	...	23	797	1,159	1,956	280	1,187	1,467	2	6	31	6th November 1872.
		1873	658	1,742	2,400	988	3,071	4,059	32	...	32	732	1,800	2,532	216	1,257	1,473	4	4	14	18th December 1873.
18		Gujranwala ... 1872	582	941	1,523	871	1,951	2,822	27	9	36	549	909	1,458	276	1,005	1,281	...	19	28	24th October 1872.
		1873	609	1,687	2,296	1,033	3,915	4,948	27	5	32	665	1,678	2,343	322	2,203	2,525	...	19	29	25th November 1873.
		Total ... 1872	2,739	4,799	7,538	4,127	9,589	13,716	161	57	218	2,684	5,427	8,111	1,235	4,038	5,273	6	42	66	
		1873	2,399	6,770	9,169	3,735	13,986	17,721	123	19	142	2,548	8,387	10,935	1,001	5,523	6,524	25	38	57	
		Difference ...	−340	+1971	+1,631	−392	+4,397	+4,005	−38	−38	−76	−136	+2,960	+2,824	−234	+1,485	+1,251	+19	−4	−9	
19	RAWALPINDI.	Rawalpindi ... 1872	672	3,765	4,437	1,038	7,221	8,259	86	47	133	664	3,867	4,531	260	3,286	3,546	3	27	19	12th November 1872.
		1873	638	3,081	3,714	976	5,741	6,717	86	1	87	655	2,927	3,582	218	2,789	3,007	6	13	22	3rd November 1873.
20		Jhelam ... 1872	318	1,248	1,566	536	3,191	3,727	38	14	52	336	1,537	1,893	132	1,632	1,764	3	6	5	1st December 1872.
		1873	404	1,604	2,008	689	4,570	5,259	22	...	22	501	2,189	2,690	161	2,315	2,476	6	4	61	1st November 1873.
21		Gujrat ... 1872	666	1,171	1,837	943	2,458	3,401	14	23	37	577	716	1,293	310	1,704	2,014	32	11	14	2nd December 1872.
		1873	651	1,946	2,597	913	3,734	4,647	9	2	11	652	929	1,581	231	2,744	2,975	7	15	58	11th November 1873.
22		Shahpur ... 1872	447	719	1,166	687	1,841	2,528	16	4	20	433	886	1,319	214	938	1,152	4	20	13	20th December 1872.
		1873	457	922	1,379	712	2,692	3,404	...	...	...	532	1,680	2,212	163	1,001	1,164	...	17	11	16th December 1873.
		Total ... 1872	2,103	6,903	9,006	3,204	14,711	17,915	154	88	242	2,030	7,006	9,036	916	7,560	8,476	42	64	51	
		1873	2,145	7,553	9,098	3,290	16,737	20,027	117	3	120	2,340	7,725	10,065	773	8,849	9,622	19	49	152	
		Difference ...	+42	+650	+692	+86	+2,026	+2,112	−37	−85	−122	+310	+719	+1,029	−143	+1,289	+1,146	−23	−15	+101	

23	MULTAN.	Multan ...	1872	613	1,041	1,654	873	2,368	3,241	9	1	10	619	1,271	1,890	241	1,080	1,321	7	3	15	22nd December 1872.
			1873	615	2,171	2,786	909	3,800	4,709	17	...	17	594	2,104	2,698	280	1,666	1,946	5	16	27	1st November 1873.
24		Jhang ...	1872	430	520	950	742	1,475	2,217	13	13	26	553	1,066	1,619	152	384	536	10	15	11	1st September 1872.
			1873	420	554	974	756	1,097	2,453	16	3	19	545	1,141	1,686	181	536	717	2	13	16	12th December 1873.
25		Montgomery ...	1872	807	514	1,321	1,333	1,221	2,554	24	2	26	987	650	1,637	285	548	833	7	30	21	25th November 1872.
			1873	756	823	1,579	1,230	1,871	3,101	18	...	18	904	936	1,840	298	903	1,201	1	9	32	5th November 1873.
26		Muzafargarh ...	1872	424	917	1,341	628	1,811	2,439	19	8	27	426	999	1,425	175	802	977	2	8	...	18th December 1872.
			1873	415	796	1,211	671	1,525	2,196	24	3	27	372	585	957	243	925	1,168	2	31	11	18th October 1873.
		TOTAL ...	1872	2,274	2,992	5,266	3,576	6,875	10,451	65	24	89	2,585	3,986	6,571	853	2,814	3,667	21	56	47	
			1873	2,206	4,344	6,550	3,566	8,893	12,459	75	6	81	2,415	4,766	7,181	1,002	4,030	5,032	10	69	86	
		DIFFERENCE ...		—68	+1,352	+1,284	—10	+2,018	+2,008	+10	—18	—8	—170	+780	+610	+149	+1,216	+1,365	—11	+13	+39	
27	DERAHJAT.	Bannu ...	1872	345	1,110	1,455	656	3,443	4,099	23	...	23	295	2,013	2,308	333	1,413	1,746	4	2	16	19th December 1872.
			1873	388	1,350	1,738	714	4,515	5,229	20	...	20	293	2,799	3,092	390	1,671	2,061	4	9	43	27th September 1873.
28		Derah I. Khan ...	1872	628	840	1,468	1,293	2,193	3,486	37	25	62	540	1,078	1,618	671	1,079	1,750	...	45	11	4th November 1872.
			1873	538	941	1,479	1,133	2,158	3,291	44	...	44	515	1,121	1,636	560	1,002	1,562	3	12	34	4th November 1873.
29		Derah G. Khan ...	1872	612	1,122	1,734	1,054	2,078	3,132	29	19	48	573	1,309	1,882	417	732	1,149	8	30	15	12th November 1872.
			1873	647	1,196	1,843	1,229	2,826	4,055	24	11	35	775	1,925	2,700	419	876	1,295	4	9	12	21st August 1873.
		TOTAL ...	1872	1,585	3,072	4,657	3,003	7,714	10,717	89	44	133	1,408	4,400	5,808	1,421	3,224	4,645	12	77	42	
			1873	1,573	3,487	5,060	3,076	9,499	12,575	88	11	99	1,583	5,845	7,428	1,369	3,849	4,918	11	30	89	
		DIFFERENCE ...		+12	+415	+403	+73	+1,785	+1,858	—1	—33	—34	+175	+1,445	+1,620	—52	+325	+273	—1	—47	+47	
30	PESHAWAR.	Peshawar ...	1872	933	2,432	3,365	1,717	6,558	8,275	272	45	317	585	3,321	3,846	878	3,150	4,028	2	40	42	3rd September 1872.
			1873	779	2,503	3,282	1,371	6,578	7,949	111	9	120	571	3,654	4,225	637	2,717	3,354	13	44	193	4th March 1873.
31		Hazara ...	1872	236	671	901	389	1,735	2,124	14	1	15	193	1,111	1,304	180	615	795	...	2	8	5th December 1872.
			1873	278	1,285	1,563	456	3,319	3,775	28	...	28	213	1,242	1,455	209	2,075	2,284	1	6	1	19th December 1873.
32		Kohat ...	1872	233	406	639	456	1,220	1,676	22	...	22	207	777	984	217	430	647	8	8	7	11th September 1872.
			1873	238	485	723	440	1,493	1,933	25	16	41	168	914	1,082	241	557	798	5	2	5	5th December 1873.
		TOTAL ...	1872	1,396	3,509	4,905	2,562	9,513	12,075	308	46	354	925	5,209	6,134	1,275	4,195	5,470	10	50	57	
			1873	1,295	4,273	5,568	2,267	11,390	13,657	164	25	189	952	5,810	6,762	1,087	5,349	6,436	19	52	199	
		DIFFERENCE ...		—101	+764	+663	—295	+1,877	+1,582	—144	—21	—165	+27	+601	+628	—188	+1,154	+966	+9	+2	+142	
		GRAND TOTAL ...	1872	17,425	45,553	62,978	27,560	1,00,544	1,28,024	1,278	396	1,674	16,627	50,243	66,870	8,886	48,959	57,845	374	483	778	
			1873	16,613	56,186	72,799	26,625	1,23,418	1,50,043	863	417	980	16,656	60,752	77,410	8,523	61,324	69,847	280	391	1,135	
		DIFFERENCE ...		—812	+10,633	+9,821	—935	+22,954	+22,019	—415	—279	—694	+31	+10,509	+10,540	—363	+12,365	+12,002	—94	—92	+357	

(7)

10. The total number of cases brought to trial is 72,799, being an increase of 15·5 per cent on the number of last year. The number of persons under trial (*viz*: 1,50,043) shews an increase of 18 per cent. The number of each is materially greater than it has ever before been. As however in the case of offence admitted to have occurred, so here the increase is entirely in bailable offences. In non-bailable offences there is an actual decrease in the number of cases of 4·6 per cent, and the number of persons tried of 3·3 per cent;—the number in each respect being less than it has been since the year 1867. The districts in which the decrease is most marked are the following:—

Cases and persons brought to trial.

Gurdáspur	... ...	28 per cent.
Ludiánah	... ...	20 „
Sirsa	... ...	20 „
Fírozpur	... ...	19 „

The districts of Pesháwar, Lahore and Siálkot also shew a creditable diminution of non-bailable crime. The Commissioner of Pesháwar speaks of the decrease in that district as shewing a modification of the lawless disposition of the Pesháwaris. His remarks are given in full in the Appendix.

The material increase in bailable offences is generally to be found under the heads of assault, enticing away a married woman, security in cases of bad livelihood, breaches of conservancy and municipal laws, and in the frontier districts cases under the frontier rules.

The following districts shew the largest increase (in bailable offences):—

Multán	... ...	52 per cent.
Hazára	... ...	48 „
Karnál	... ...	45 „
Gujránwála	... ...	43 „

The Deputy Commissioner Multan attributes the increase to the establishment of a Board of Magistrates in the city for the trial of breaches of municipal bye-laws.

In Hazára the increase is in cases of assault, mischief, and enticing away a married woman; also in cases under local and special laws.

The increase in cases under Section 498 Indian Penal Code is, says the Deputy Commissioner, balanced by a corresponding decrease in civil suits for custody of wives.

11. Opinions are variously given as to whether the reduction of the fee on complaints of a certain class has had any effect in increasing the number of such cases.

Effect of the reduction of court fees on certain complaints.

The following table gives the numbers of some of the commonest cases on which the fee is levied, for the three years preceding and the four years following the reduction of the fee.

Offences are so classified in the returns that it is impossible in the case of hurts, assaults, and mischief, to separate the non-cognizable or those on complaint of which a fee is leviable, from the cognizable or those on which there is no fee. It may however safely be said that a very large majority of these cases are chargeable with the fee, and the comparison helps to an approximate conclusion of the results.

Years.	Hurt, (Sections 323, 334 Indian Penal Code.)	Assault, (Secs. 352 to 355, 357, 358 Indian Penal Code.)	Mischief, (Secs. 426, 427, 430 to 433 Indian Penal Code.)	Enticing awfy a married woman, (Sec. 498 Indian Penal Code.)	Fees.
1867	3,817	8,911	1,699	2,019	
1868	3,706	8,828	1,733	2,472	Fee 1 rupee.
1869	3,394	8,791	1,459	2,212	
1870	4,179	10,873	1,337	2,389	
1871	3,840	13,129	1,598	2,943	
1872	2,998	14,448	1,924	2,778	Fee 8 annas.
1873	2,882	17,443	1,939	3,812	

It will be seen that since the reduction of the fee assault cases have been steadily increasing.

12. Of the 1,50,043 persons brought to trial, 1,48,517 were disposed of during the year, the rest remaining under trial. Of these, 26,234 were charged with non-bailable, and 1,22,283 with bailable offences.

Result of enquiries and trials.

The results of trials for the different districts are summed up in the following table, which shews the per-centage of convictions and commitments of persons tried.

Districts.		Committed for and convicted of non-bailable offences.	Committed for and convicted of bailable offences.	*Total* per-cent committed for, and convicted of bailable and non-bailable offences.
Dehli	...	70	56	58
Gurgáon	...	62	40	45
Karnál	...	62	26	50
Hissár	...	64	59	60
Rohtak	...	69	68	68
Sirsa	...	68	45	55
Ambálah	...	73	71	72
Ludiánah	...	74	56	59
Simla	...	69	75	75
Jálandhar	...	70	49	51
Hoshiárpúr	...	69	36	40
Kángra	...	72	57	58
Amritsar	...	59	31	34
Gurdáspúr	...	64	29	34
Siálkót	...	69	23	30
Lahore	...	71	70	70
Gujránwála	...	68	43	48
Firozpúr	...	77	59	63
Ráwalpindi	...	77	51	55
Jhelam	...	76	48	52
Gujrát	...	73	25	34
Sháhpúr	...	76	63	65
Bannú	...	44	62	60
Derah Ismail Khán	...	50	52	51
Derah Gházi Khán	...	65	69	67
Multán	...	68	55	58
Jhang	...	75	68	70
Montgomery	...	75	51	61
Muzaffar	...	62	38	45
Peshawar	...	51	57	56
Hazárá	...	53	37	39
Kohát	...	44	62	58
Total	...	66	49	52

It will be seen that there has been no material variation in the per-centage of convictions for the province.

13. In trials of non-bailable offences the proportion of convictions was highest in the districts of Firozpur, Ráwalpindi, Jhelam and Shâhpur, where upwards of 75 per-cent were convicted or committed.

Non-bailable offences. Persons convicted and committed.

In the districts of the Frontier Divisions (Derajat and Peshâwar) the proportion of convictions is comparatively low. As compared with the previous year, there has been a decrease in the districts of Bannú and Kohât; in Derah Ismail Khán, Derah Ghazi Khán and Peshawar there has been a slight increase; and in Hazára the per-centage is the same as in 1872. The decrease in Gurgáon (from 71 to 62), in Hissar (from 72 to 64) and in Muzaffargarh (from 71 to 62), is noticeable. Although most of the districts shew an increase of convictions as compared with the previous year, the per-centage in 1873 was only 1 in excess of that for 1872.

The decrease, where it occurs, is chiefly in cases of ordinary theft, theft of cattle, and lurking house-trespass, in which many persons were brought to trial and a few only convicted.

14. Of 1,22,283 persons tried for bailable offences under the Indian Penal Code and local and special laws, 49 per cent were convicted or committed. This number is one per cent less than in 1872.

Bailable offences. Persons convicted and committed.

In Hazara the per-centage fell from 61 in 1872 to 37 in 1873. This the Deputy Commissioner attributes to the great increase in petty charges.

The proportion is noticeably low in Karnal, Sialkot and Gujrat.

It is chiefly in cases of assault, and enticing away a married woman, that convictions are rarely obtained, and it is the remark of several officers that if the complainant were properly examined in the first instance the proportion of acquittals would be reduced.

In Gujrat out of 1,656 persons tried for assault only 140 were convicted. The remarks of the Deputy Commissioner of Gujrat and of the Commissioner of Rawalpindi on this subject will be found in Appendix II. Many of the cases of this class are settled out of Court. The Commissioner of Peshawar notices that in the Hazara district 1,084 petty charges were withdrawn under Section 210 of the Criminal Procedure Code.

The falling off in the number of persons committed to the Sessions, from 1,674 in 1872 to 980 in the year under report, is mainly due to the fact that

Deputy Commissioners do not, under the new Code, sit as Sessions Judges, and commitments are now made to the Court of the Commissioner alone.

Persons assisting trial.

15. 1,526 persons remained under trial at the end of the year.

Classification of offences.

16. The annexed table shews in brief the number of persons brought to trial under each Chapter of the Indian Penal Code for the year 1873. A column is added to show the number of convictions :—

Chapter and Subject.	Persons brought to trial.	Convictions.
Chapter V.—Concealing design to commit a non-bailable offence	26	5
„ VI.—Offences against the State (121—130)	2	1
„ VII.—Offences relating to the Army and Navy (131—140)	3	1
„ VIII.—Offences against the public tranquility (148—160)	6,786	4,779
„ IX.—Offences by or relating to public servants (161—171)	312	102
„ X.—Contempts of the lawful authority of public servants (172—190)... ...	3,017	2,044
„ XI.—False evidence and offences against public justice (193—229)	1,650	1,024
„ XII.—Offences relating to coin and Government stamps (231—263)	238	141
„ XIII.—Offences relating to weights and measures (264—267)	168	118
„ XIV.—Offences affecting the public health, safety, convenience, decency and morals (269—294)	2,310	1,980
„ XV.—Offences relating to religion (295—298)	193	76
„ XVI.—Offences affecting the human body—		
i.—Offences affecting life (302—311)...	1,439	896
ii.—Miscarriage, injuries to unborn children, exposure of infants, concealment of birth (312—318)	489	325
iii.—Of hurt (323—338)	7,556	2,727
iv.—Wrongful restraint and confinement (341—348)	1,070	259
v.—Of criminal force and assault (352—358)	38,114	6,857
vi.—Kidnapping, forcible abduction, slavery and forced labor (363—374)	388	166
vii.—Rape (376)	159	47
viii.—Of unnatural offences (377)	97	55
Chapter XVII.—Of offences against property—		
i.—Of theft (379—382)	13,584	9,617
ii.—Of extortion (384—389)	392	78
iii.—Of robbery and dacoity (392—402)	445	218
iv.—Criminal misappropriation of property (403—404)	688	441
v.—Criminal breach of trust (406—409)	523	257
vi.—Receiving stolen property (411—414)	4,607	2,898
vii.—Cheating (417—420)	907	310
viii.—Fraudulent deeds and dispositions of property (421—424) ...	35	22
ix.—Mischief (426—440)	5,619	2,528
x.—Criminal trespass (447—462), chiefly house-breaking	7,264	3,976
Chapter XVIII.—Offences relating to documents and to trade and property marks (465—487)	384	187
1.—Of trade and property marks (482—489)	22	10
„ XIX.—Criminal breach of contracts of service (490—492)	58	31
„ XX.—Offences relating to marriage (493—498)	5,424	749
„ XXI.—Of defamation (500—502)	282	72
„ XXII.—Criminal intimidation, insult and annoyance (504—510)	631	222

Imperial Statement No. II in Appendix I contains a more detailed list of offences classified according to the Sections of the Indian Penal Code, and divided into non-bailable, bailable, and offences under local and special laws. In noticing such offences as seem to call for any remark the order of this latter Statement will be followed.

Offences connected with coinage.

17. Offences connected with the coinage were most common in the districts of Ambalah and Amritsar. There is no appreciable increase.

Murder.

18. Murders of all kinds (Sections 302, 303 and 396 Indian Penal Code) have decreased from 394 in 1872 to 354 in the year under review. Of 669 persons tried, 65·6 per cent were convicted and committed.

Murders were most prevalent in the districts of—

	Number reported.	Persons discharged.	Persons convicted and committed.
Pesháwar	97	111	78
Ráwalpindi	29	7	61
Kohát	22	5	23
Bannú	18	18	20
Derah Ismail Khán	16	17	26
Hazára	16	1	19
Jálandhar	13	1	12
Hoshiárpúr	13	2	18
Jhelam	12	4	13
Lahore	10	3	14

Of the murders reported in the Peshawar district, 17 were struck off the register on the application of the police; so that only 80 are admitted to have occurred.

Of the 198 murders committed in the six first named districts above 88 are attributed to motives connected with women.

It is not attempted to account for the fluctuations in the number of murders from year to year. The Deputy Commissioner of Rawalpindi is of opinion that the extension to the district of the Frontier rule under which a woman is punishable for adultery would have a salutary effect.

Infanticide.

19. The Deputy Commissioners of Hushiarpur and Ludhiana speak of infanticide as prevailing in their districts, but do not give the grounds for their belief. Enquiry is being made.

Culpable homicide.

20. There is an increase of 29 per cent in the number of cases of culpable homicide as compared with the previous year.

Of 207 cases reported more than half occurred in the districts of Dehli, Gurgaon, Ambalah, Amritsar, Gurdaspur, Sialkot, Lahore, Rawalpindi and Peshawar. Of the persons tried 71·6 per cent were convicted or committed.

Grievous hurt by dangerous weapons.

21. Of 58 cases reported of grievous hurt by dangerous weapons 40 occurred in the Peshawar district.

Rape.

22. There was an increase in the number of cases of rape reported: 30 per cent of the persons tried were convicted or committed.

Unnatural offences.

23. There has been an increase also of unnatural crime: convictions were obtained in 57 per cent of the persons tried.

Kidnapping, abducting, &c.

24. There is a trivial decrease in cases of kidnapping and cognate offences.

The largest number of cases reported were in the following districts:—

Multan	... ...	25 cases.
Amritsar	... ...	24 „
Lahore	... ...	22 „
Hushiarpur	... ...	19 „
Gurdaspur	... ...	18 „

It is satisfactory to know that of nine British subjects carried off beyond the border in the Peshawar district seven were recovered without payment of ransom.

Theft and receiving stolen property.

25. The annexed table shews the offences of theft and receiving stolen property for the years 1872-73.

Offence.	1872.	1873.
Ordinary thefts, including abetments and attempts	10,987	10,521
Cattle thefts ditto ditto	5,936	5,510
Receiving stolen property	2,849	3,262
Total	19,772	19,293

It is necessary to group cases of theft and of receiving stolen property together, inasmuch as where an interval has elapsed between the theft and the discovery it is difficult to distinguish between the thief and receiver.

The decrease on the whole is satisfactory, and may be attributed in part to deterrent sentences and the exaction of security from doubtful characters. The Commissioners of Peshawar and Derajat speak hopefully of the marked decrease in this class of cases in the districts of Peshawar and Dera Ismail Khan.

26. Of the 45 dacoity cases reported, 7 occurred in Hazara, which are explained as petty raids by parties from beyond the frontier: 3 occurred in Kohat.

Dacoity.

27. Cases of serious mischief by fire are 171 in number as compared with 64 last year.

Serious mischief by fire.

Of these, no less than 53 occurred in Bannu, and not a single conviction was obtained. It is probable, however, that some of these cases were dealt with under the Frontier rules; but the matter is not noticed in the report.

28. Offences of house-trespass and house-breaking (all non-bailable kinds included) amount to 12,254, as compared with 12,460 in the previous year.

House-breaking.

29. Passing on to bailable offences, it will be seen that the Section 188 Indian Penal Code, which punishes disobedience to orders duly issued by public authority, has been less freely used.

Bailable. Disobedience to order of public servant.

30. Prosecutions for offences against public justice have increased by 22 per cent.

Offences against public justice.

31. Assaults (Secs. 352—358 Indian Penal Code) have increased from 14,448 to 17,433, or 20 per cent.

Assaults.

The following are the districts in which complaints of this nature are most common:—

Amritsar	1,924
Sialkote	1,503
Hushiarpur	1,382
Gurdaspur	1,346

In Kohat, Karnal and Sirsa they were under 100 in the year.

The low per-centage of convictions in this class of cases has been noticed above.

The provisions of the law for meeting the rush of groundless complaints are firstly, examination of complainant before issue of process; secondly, award of amends to the accused in cases of vexatious or frivolous complaint. These will be noticed under the head of Procedure.

As observed above, the number of this class of complaints has increased steadily since the reduction of the fee on complaint.

32. Cases of mischief by poisoning cattle have decreased from 544 to 451. The proportion of persons convicted to persons brought to trial is slightly less than last year. In Rawalpindi the number of cases has been reduced from 83 to 49, special efforts having been made for its suppression.

Mischief by poisoning cattle.

There is reason in the remark of the Deputy Commissioner that if the offence were one cognizable by the police detection might be facilitated.

The frontier rules are spoken of as effective in meeting this class of crime in the frontier districts.

33. Criminal trespass and simple house-trespass both shew an increase. Many of these cases are the result of the disputed possession of land, and are more properly of a civil nature.

Criminal Trespass.

34. There is a material increase in the number of cases of enticing away a married woman, amounting to 37 per cent.

Enticing away a married woman.—Section 498 Indian Penal Code.

The districts in which complaints of this nature are most prevalent are, with the exception of Gujrát, those in which assaults also are most common.

Hushiarpur	... ...	627 cases.
Sialkote	... ...	324 „
Amritsar	... ...	300 „
Gujrát	... ...	245 „
Gurdaspur	... ...	236 „

The increase of such cases in Peshawar is regarded by local authorities as a favorable symptom, shewing the growing willingness of the people to resort to the Court instead of taking the law into their own hands.

The per-centage of convictions in this class of cases is only between 13 and 14 per cent.

35. 645 persons were fined Rs. 3,665 for making frivolous and vexatious complaints. The largest number of persons punished was in Amritsar (85), Rawalpindi (67), Jhelam (65), Hushiarpur (46), and Sialkote (44). In each of the Delhi and Karnal districts 2 persons were punished; in Sirsa only 1 person; and in Simla and Kohat no person was punished; 102 persons were summarily punished for contempt of Court &c., under the provisions of Sections 435, 436 of Act X of 1872.

Cases under the Code of Criminal Procedure.

The rest of the cases that come under the Criminal Procedure Code are treated of under Part IV—Preventive Jurisdiction.

Breach of Forest Law.

36. There have been 271 prosecutions for breaches of Forest Law, involving 819 persons, of whom 684 were convicted and punished. Of these cases, 174 occurred in the Kangra district and 50 in the Hazara district.

Breaches of Canal Act.

37. Cases under the Canal Act have increased from 465 to 604, and 1,284 persons have been convicted of breach of the law. Of these latter, 455 were in the Rohtak district.

Cattle Trespass.

38. There has been an increase of cases under the Cattle Trespass Act (I of 1871) of 20 per cent.

Breaches of contract by workmen.

39. Offences under Act XIII of 1859 are a new feature in the Criminal Statements. The object of this Act is to provide for the speedy disposal of breaches of contract by artificers, &c.

There have been 870 cases during the year, involving 1,024 persons, of whom only 66 were convicted. This Act is used almost exclusing in the districts of Amritsar and Gujrat, by the shawl-weavers seeking redress for breaches of contract on the part of their workmen. The partial revival of the shawl trade after the depression caused by the Franco-Prussian war, coupled with the removal of a misapprehension that the law had been repealed, is held to account for the free resort to the provisions of this Act. That its aid has been sought without much success is clear from the paucity of convictions.

Frontier Rules.

40. 565 persons were referred to the decision of elders, under Section 6 of the Frontier rules, of whom 370 were convicted and sentenced to fine.

Of the persons thus convicted, 219 were in the Peshawar district. There were no such cases in Kohat.

37 women were punished for adultery, under Section 8 of the rules.

Proportion of persons tried to population.

41. The following table shews a comparison of persons tried for offences, with the population of each Division :—

					1873.	1872.
Peshawar Division, per 1,000 of population,				...	13·2	11·6
Derajat	do.	...	...	...	12·6	10·8
Amritsar	do.	...	...	...	9·6	7·5
Lahore	do.	...	...	...	9·3	7·3
Rawalpindi	do.	...	...	...	9·1	8·1
Multan	do.	...	...	...	8·4	7·1
Ambalah	do.	...	...	...	7·7	6·9
Jallandhar	do.	...	...	...	6·9	7·0
Dehli	do.	...	...	...	5·7	4·5
Hissar	do.	...	...	...	4·9	3·8
			Total	...	8·5	7·27

Agency for disposal of work.

42. Imperial Return No. 3 in Appendix I shews the general result of original criminal trials in the various tribunals of the province.

The following Statement shows in greater detail how the work has been distributed among the several Courts of districts for the last three years :—

	Cases disposed of.			Per-centage.		
	1871.	1872.	1873.	1871.	1872.	1873.
Deputy Commissioner ...	3,401	2,909	3,940	5·5	4·6	5·4
Assistant Commissioner ...	7,723	10,016	11,925	12·5	16·0	16·5
Extra Assistant Commissioner ...	14,860	13,809	17,595	24·0	22·0	24·4
Tahsildar ...	17,358	16,431	17,598	28·1	26·1	24·4
Naib Tahsildar ...	7,395	7,875	7,123	12·0	12·2	9·8
Cantonment Magistrate ...	2,473	3,583	3,564	4·4	5·7	4·9
Small Cause Court ...	528	519	117	0·8	0·8	0·1
Canal Officer ...	384	429	592	0·5	0·7	0·8
Customs Officer ...	2	4	2	·003	·006	·002
Forest Officer ...	1	0	2	·001	...	·002
Jail Officer ...	3	83	1	·004	0·1	·001
Municipal Boards ...	1,116	646	2,283	1·8	1·03	3·1
Boards of Honorary Magistrates ...	3,248	3,483	3,637	5·2	5·5	5·05
Jaghirdar Magistrates ...	2,969	3,133	3,565	4·8	5·0	4·95

Cases disposed of by Deputy Commissioners invested with enhanced powers are included.

43. For the past year cases were distributed among the three classes of Magistrates as follows :—

Magistrates of first class	...	33,748 cases.
Magistrates of second class	...	25,200 do.
Magistrates of third class	...	12,240 do.

exclusive of cases disposed of by Deputy Commissioners under Section 36 Act X of 1872.

44. Cases were divided between European and Native Agency as under—

European Magistrates	...	23,320
Native Magistrates ...	...	48,624

In the following districts, Tahsildars and Naib-Tahsildars disposed of an exceptional amount of Criminal work:—

Gurgáon	...	...	66 per cent.
Jhelam	...	...	63 „
Kángra	...	...	55 „

Canal Officers.

45. Canal officers are the only special Magistrates who took up any appreciable number of cases.

The greatest number of these was in the Dehli district.

The Commissioners of Ambalah and Amritsar express an opinion that the quality of the judicial work of Canal officers has improved since they have been subjected to an examination in Criminal Law and Procedure. The Deputy Commissioner of Hissar however comments unfavorably on the procedure of the Canal officer in his district.

Municipal Boards.

46. Municipal Boards are constituted at Dehli, Amritsar and Dera Ismail Khan, all being invested with Magisterial powers of the second class.

In Amritsar the Board disposed of 1,666 cases.

The Deputy Commissioner is alive to the necessity of supervising the working of the Court.

Honorary and Jagirdar Magistrates.

47. The work of the Honorary Magistrates and Jagirdar Magistrates is favorably noticed in the local reports.

In the Amritsar district Sirdar Ajit Sing disposed of 738 cases, which was more than the work disposed of by any single Judge at the Sadr, and his work, says the Deputy Commissioner, was well done.

The Commissioner of Ambalah speaks of the Honorary Magistrates of his Division as highly thought of by the District officers and unquestionably popular.

Work performed by Deputy Commissioners.

48. The annexed statement shews the Criminal work disposed of by the Deputy Commissioners of each district during the year. A column for appeal is added for the purpose of making the statement of work complete.

DISTRICT.	Under Deputy Commissioner's enhanced powers Section 36, Act X of 1872.	Under Deputy Commissioner's Magisterial powers.	Under Deputy Commissioner's Appellate powers.
Dehli	15	49	71
Gurgáon	17	29	37
Karnál	16	24	69
Hissar	22	121	73
Rohtak	17	91	91
Sirsa	...	87	32
Ambálah	12	12	127
Ludhiánah	8	69	162
Simla	6	4	...
Jálandhar	5	90	148
Hoshiárpur	17	32	171
Kángra	21	56	48
Amritsar	9	87	206
Gurdáspur	32	111	104
Siálkot	29	43	85
Lahore	11	440	112
Firozpur	24	6	97
Gujránwala	30	80	78
Ráwalpindi	42	44	89
Jhelam	26	19	86
Gujrát	70	390	55
Sháhpur	96	136	56
Multan	15	88	73
Jhang	23	74	28
Montgomery	24	186	14
Muzaffargarh	14	18	40
Bannu	48	106	60
Dera Ismail Khán	43	136	9
Dera Ghazi Khán	21	128	32
Pesháwar	15	162	40
Hazára	17	123	12
Kohát	11	173	5

The total number of original cases disposed of by Deputy Commissioners is 3,940; the number in 1872 was 2,909.

The increase is in both classes of cases, *viz:* those tried under Section 36 and those tried under ordinary Magisterial powers.

The Deputy Commissioners of Gujrát and Lahore have disposed of by far the largest number of original cases, in Gujrát amounting to 18 per cent, and in Lahore amounting to 10 per cent, of the criminal work of the district. In the case of Lahore the increase in the number of cases is due to the large number of security cases taken up by the Deputy Commissioner.

Only 1 b of the cases in Lahore were tried under Section 36 of the Code.

In Simla, Ambálah, Firozpur and Muzaffargarh the work performed by the Deputy Commissioners is noticeably below the average.

The reason why so few cases have been tried under Section 36 in some of the districts (as Sirsa and Jálandhar) is that the Deputy Commissioner has not been invested with the enhanced powers throughout the year.

Section 36 of the Code of Criminal Procedure.

49. It is the complaint of more than one Commissioner that cases are committed to their Courts which should be disposed of by the Deputy Commissioner invested with powers under Section 36. The complaint appears to be a just one.

The object of Section 36 is to relieve the Sessions Courts of all cases in which the offence could be adequately punished by seven years imprisonment. This is sufficiently indicated in Section 221 of the Code. Where the offence charged is not punishable with death, the Magistrate in whose Court the case commences *can* make it over to the Deputy Commissioner empowered under Section 36; and where, in addition to this, the offence is one that would in his opinion be adequately punished by a sentence of seven years' imprisonment, he *ought* to do so.

If this procedure were adopted labour would be saved and the object of the Section attained.

Cases disposed of on summary trial.

50. The annexed table gives a detail of the persons disposed of on summary trial, under Chapter XVIII of the Criminal Procedure Code.

DISTRICTS.	Summary Jurisdiction.		
	Persons.		Total cases disposed of.
	Acquitted, discharged, &c.	Convicted.	
Dehli	348	287	378
Gurgáon	17	6	7
Karnál	...	1	1
Hissár	1	2	3
Sirsa	4	6	6
Ambálah	104	821	533
Ludhiánah	7	75	45
Jálandhar	52	279	59
Kángra	14	23	23
Amritsar	1,817	1,145	1,127
Gurdáspur	390	231	270
Siálkot	9	17	18
Lahore	3	28	27
Gujránwálah	483	201	326
Firozpur	12	8	8
Ráwalpindi	18	55	45
Jhelam	5	6	7
Gujrát	43	211	146
Sháhpur	22	87	70
Derah Ismail Khán	53	14	37
Derah Gházi Khán	...	9	3
Bannú	8	19	17
Montgomery	4	26	25
Muzaffargarh	4	2	3
Pesháwar	48	147	150
Hazára	11	37	23
Kohát	2	53	29
Total	3,479	3,796	3,386

Altogether 3,386 cases were disposed of, involving 7,275 persons.

Of these cases more than one-third were in the district of Amritsar.

For the first half of the year the power of summary trial was exercised only by the Deputy Commissioners and Boards of Magistrates.

In July however a large number of Assistants and Extra Assistants who had exercised full powers for five years and upwards were invested with this power by Government.

The sparing use which has on the whole been made of this mode of procedure is remarkable. In the five districts specified in the margin* not a single case is shewn as so disposed of.

* Rohtak.
Simla.
Hoshiárpur.
Multán.
Jhang.

The subject moreover is barely noticed in the local reports, but those who do mention it speak of it favorably.

Jurisdiction of Magistrates over European British subjects.

51. Jurisdiction of Magistrates over European British subjects is another new feature of Criminal Procedure.

The following statement shews in brief the cases that have occurred during the year:—

DISTRICTS.	Jurisdiction over European British Subjects.			
	Persons.			Total cases disposed of.
	Acquitted, discharged, &c.	Convicted.	Committed.	
Dehli	12	9	...	15
Ludhiánah	1	...	...	1
Jálandhar	1	6	1	8
Kángra	2	2	...	3
Lahore	6	15	2	21
Ráwalpindi	2	3	...	5
Gujrát	4	6	1	11
Multán	...	7	1	6
Muzaffargarh	...	1	...	1
Pesháwar	2	1	1	4
Total	30	50	6	75

As Magistrates' powers of punishment in such cases are limited to three months imprisonment and fine, it may be concluded that none of the cases disposed of were of a serious nature.

Miscellaneous cases.

52. In addition to the original criminal trials, there were disposed of 56,084 miscellaneous cases and petitions.

Sessions Courts of Commissioners.

53. The amount of Sessions work disposed of by Commissioners will be seen in the following table :—

Sessions Courts.		For disposal.		Number of Persons.			Total disposed of.		Pending.		Average duration of each case.	Date of oldest case undisposed of.
		Cases.	Persons.	Convicted.	Acquitted.	Died, escaped &c.	Cases.	Persons.	Cases.	Persons.		
Dehli ...	1872	29	52	18	31	3	29	52	...	...	50	
	1873	42	104	64	20	3	38	87	4	17	24	1st Decr. 1873.
Hissár ...	1872	38	94	77	15	1	37	93	1	1	38	11th Decr. 1872.
	1873	21	45	32	9	...	17	41	4	4	40	10th October 1873.
Ambálah ...	1872	33	50	31	19	...	33	50	...	...	43	
	1873	44	62	33	27	2	44	62	...	...	41	
Jálandhar ...	1872	20	37	22	6	...	18	28	*	*	52	
	1873	52	93	67	23	...	51	90	1	3	44	24th Decr. 1873.
Amritsar ...	1872	34	57	38	10	...	30	48	4	9	57	17th October 1872.
	1873	45	79	44	14	2	35	60	10	19	120	11th July 1873.
Lahore ...	1872	36	68	53	9	...	33	62	3	6	41	11th Decr. 1872.
	1873	74	157	89	66	1	73	156	1	1	32	17th June 1873.
Ráwalpindi ...	1872	49	181	100	80	...	48	180	1	1	50	2nd Decr. 1872.
	1873	52	111	64	21	2	46	87	6	24	41	3rd Novr. 1873.
Multán ...	1872	51	94	62	28	...	49	90	2	4	71	5th Novr. 1872.
	1873	55	90	42	41	...	49	83	6	7	40	8th October 1873.
Deraját ...	1872	40	76	29	41	2	36	72	3	4	71	5th Septr. 1872.
	1873	49	98	61	35	...	48	96	1	2	39	29th Novr. 1873.
Pesháwár ...	1872	166	365	169	120	2	141	291	25	74	30	30th Septr. 1872.
	1873	128	289	145	93	10	112	248	16	41	59	5th August 1873.
Total ...	1872	496	1,074	599	359	8	454	966	39	99	46	5th Septr. 1872.
	1873	562	1,128	641	349	20	513	1,010	49	118	48	17th June 1873.

* One case of two persons convicted under Section 318 Indian Penal Code, and one case involving 7 persons transferred by order of Sessions Judge to Deputy Commissioner for disposal under his enhanced powers.

The number of cases disposed of by Sessions Courts has increased, which is probably owing to cases which Deputy Commissioners might have disposed of under Section 36 Criminal Procedure Code being committed to Sessions Courts.

The number of cases in the Lahore and Jálandhar Divisions is more than double what it was last year; and Lahore is second only to Pesháwar, which always stands the highest.

The only Divisions in which any decrease in the number of trials is shewn are Hissár and Pesháwar. The reasons given by the Commissioner for the decrease in the latter will be found in Appendix II.

The per-centage of convictions for the province has varied little for the last three years; it is now 63 per cent.

Hissár shews the highest per-centage, 78; and Multán the lowest, 50·6.

The per-centage in Ráwalpindi and Dehli, which was so low last year, is now among the highest.

Of the 641 persons who were convicted—

132 were sentenced to death.
97 „ „ transportation for life.
380 „ „ transportation or imprisonment for a term.
23 „ „ fine only.
9 „ „ whipping only.

Seven European British subjects have been tried by Sessions Courts, as under:—

Jálandhar	...	1 convicted.
Multán	...	2 acquitted.
Lahore	...	2 convicted.
Ambálah	...	2 convicted.

Part II.—Procedure.

Average duration.

54. The average duration of cases and appeals in all Courts is as follows :—

Original cases.

In Courts of Magistrates, including cases tried under Section 36, 9 days
„ Courts of Session, 48 „
„ Chief Court, 44 „

Appeals.

55. In Courts of Deputy Commisioners, 4 days
Courts of Session, 20 „
Chief Court, 27 „

The average duration is satisfactory. The only point calling for remark is the long average duration both of Session cases and appeals in the Amritsar Division, the former being 119 days, the latter 57 days.

The quick disposal of appeals in Courts of Deputy Commisioners is creditable.

The duration was highest in the districts of Amritsar (26 days), Derah Ismail Khan (13 days), and Dehli (12 days). It was lowest in Hissár (1 day) and Lahore (2 days); in several other districts it was 3 days.

Pending cases.

56. The two oldest cases pending in Magistrates' Courts at the end of the year were instituted on 4th May and 29th January 1873 respec-

tively. Both are in the Amritsar district, and the explanation given of the delay is sufficient. It does not appear that in either case the accused person was in custody.

In a few other cases pending over two months the delay is satisfactorily explained.

The oldest pending Sessions case is in the Court of the Commissioner Lahore: it was committed on the 17th June. The cause of delay is that the question of the prisoner's soundness of mind has not yet been determined.

There was a case pending since 11th July 1873 in the Amritsar Sessions Court. It has since been disposed of.

57. There were 734 cases submitted by Subordinate Magistrates to Magistrates of districts for enhanced punishment under Section 46 of the Criminal Procedure Code.

Section 46 Criminal Procedure Code.

In 1872 there were 1,029 cases so submitted. The decrease is probably due to the precautions that have been generally taken to prevent Subordinate Magistrates taking up cases which they cannot adequately punish.

The largest number so sent up were, in Lahore 87, and Montgomery 85.

In each of the three districts of Gurdáspur, Pesháwar and Derah Ghází Khan, only 4 cases are shewn.

58. The examination of a complainant before issue of process does not seem to be carried out so carefully as it should be. This point is noticed by the Commissioner of Amritsar and by the Commissioner of Ráwalpindi; by the latter with special reference to the Gujrát district, in which from the very small proportion of convictions in cases of assault it would appear that this provision of the law has been neglected.

Examination of complainant.

The law as to the examination of the complainant and reducing his statement into writing is clear (Section 144 Criminal Procedure Code), and should be strictly followed.

Connected with this subject is the practice adopted by some Magistrates of referring all petty cases for previous investigation into the truth of the complaint by the police under Section 146, instead of endeavouring to ascertain by examination of complainant the truth or falsehood of the complaint.

The Deputy Commissioner Hazára condemns the practice, and the Commissioner concurs in his views.

The terms of Section 146 are wide, but it was not intended that reference should be made to the police until the Court had failed after examining the complainant to arrive at any conclusion as to the character of the complaint.

59. Amends were awarded in case of frivolous or vexatious complaints as follows :

Amend to accused.

Year.	Persons.	Total amount of fine imposed.
1872	681	3,151
1873	691	3,216

In the districts of Amritsar, Rawalpindi and Jhelam, this provision of law was most fully used.

60. It appears from local reports that although the recording of evidence by Native Magistrates in their own hand has become the rule, yet that it is one to which there are exceptions; and the Deputy Commissioner Ambálah remarks that the Native Magistrates in his district record evidence with their own hands in summons cases only.

Record of evidence.

The terms of the Government Notification No. 1787 dated 23rd December 1870, circulated with Chief Court's Circular VI of 1871, clearly require that in all criminal cases tried by Native Magistrates the evidence be taken down in full by the officer who tries the case.

Procedure under Section 36 Criminal Procedure Code, Summary trial, and procedure with respect to European British subjects, has been noticed above, under the head of Original Jurisdiction.

61. The Frontier rules are generally spoken of by the officers of the Frontier Divisions as working successfully for the suppression of crime, especially in the case of offences connected with women and of mischief by fire and poisoning.

Frontier rules.

Extracts on the subject are given in Appendix II.

62. The subject of dealing with habitual offenders and cases of second convictions has received very general attention during the year.

Habitual offenders.

Such cases are not as a rule taken up by Magistrates other than first class Magistrates, and in many districts the Deputy Commissioner himself disposes of the majority of such under Section 36 Criminal Procedure Code.

The Deputy Commissioner Gujrát has shewn especial care in dealing with this subject.

The total number of persons convicted a second time is 15,255, and of persons convicted a third time or more 1,661.

Registers of persons previously convicted are kept up.

Part III.—Punishments.

63. The following Statement shews in detail the nature of punishments awarded in each district during the year:—

General results.

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27
				PERSONS SENTENCED TO													PERSONS ORDERED TO FIND OR GIVE			DETAIL						
				TRANSPORTATION.				IMPRISONMENT.				FINE.		WHIPPING.						NUMBER OF PERSONS						
								Rigorous.							*In lieu of other punishment.*											
Number.	Division.	DISTRICT.	Total number of persons punished.	Death.	For life.	For a term.	Penal servitude.	With solitary confinement.	Without solitary confinement.	Simple.	Forfeiture of property.	With imprisonment.	Without imprisonment or transportation.	In addition to other punishment.	Adults.	Juveniles.	Security to keep the peace.	Recognizance to keep the peace.	Security for good behaviour.	Rupees 10 and under.	Above Rs. 10 to Rs. 50.	Above Rs. 50 to Rs. 100.	Above Rs. 100 to Rs. 500.	Above Rs. 500 to Rs. 1,000.	Above Rs. 1,000.	Total amount of Fines.
	DEHLI.	Sessions Court,	64	10	7	14	...	10	13	...	...	14	10	...	...	...	...	...	5	4	8	10	2	...	...	2,340
1		Dehli ...	2,594	...	...	...	...	145	335	24	...	183	1,987	23	88	15	5	60	260	1,768	363	22	15	1	...	21,079
2		Gurgáon ...	1,347	...	...	...	...	130	176	13	...	193	910	7	105	13	...	3	18	730	358	14	1	...	...	15,325
3		Karnál ...	1,429	...	...	...	...	118	210	56	...	265	951	27	74	20	...	48	48	934	264	6	11	1	...	14,141
		TOTAL ...	5,370	...	...	...	...	393	721	93	...	641	3,848	57	267	48	5	111	326	3,432	985	42	27	3	...	50,545
	HISSAR.	Sessions Court,	32	2	4	...	...	4	22	...	...	13	...	...	...	...	...	...	...	...	12	...	1	...	...	380
4		Hissár ...	1,248	...	...	...	...	152	215	18	...	337	805	15	45	12	2	1	63	843	278	17	4	...	...	12,180
5		Rohtak ...	1,660	...	...	...	...	62	173	23	...	170	1,328	4	68	11	7	245	37	1,253	224	16	5	...	...	12,065
6		Sirsa ...	484	...	...	...	...	105	104	11	...	200	204	15	49	11	...	...	3	297	91	9	7	...	...	5,436
		TOTAL ...	3,392	...	...	...	...	320	492	52	...	707	2,337	34	157	34	9	246	103	2,393	593	42	15	...	...	29,681
	AMBALAH.	Sessions Court,	33	1	6	3	...	...	22	1	...	2	...	...	...	...	...	...	...	1	...	1	...	...	...	110
7		Ambálah ...	4,261	...	...	...	...	229	318	55	...	370	3,485	12	155	19	2	20	184	3,313	490	40	10	2	...	27,572
8		Ludhiánah ...	2,300	...	...	...	...	282	239	17	...	393	1,706	9	43	10	4	45	160	1,781	298	14	9	...	...	14,565
9		Simla ...	1,608	...	...	...	...	36	74	10	...	52	1,465	3	21	2	2	18	3	1,355	139	19	4	...	...	7,108
		TOTAL ...	8,169	...	...	...	...	547	631	82	...	815	6,659	24	219	31	8	83	347	6,449	927	73	23	2	...	49,245
	JALANDHAR.	Sessions Court,	67	6	14	...	...	13	33	...	...	22	1	...	...	...	...	...	...	...	9	2	10	1	1	13,825
10		Jálandhar ...	1,996	...	...	...	...	116	223	16	...	228	1,561	18	62	18	7	27	264	1,505	237	38	9	...	...	15,667
11		Hoshiárpur ...	2,747	...	...	...	...	102	261	41	...	251	2,280	16	59	1	30	76	142	1,994	528	7	1	1	...	16,412
12		Kángra ...	2,731	...	...	...	...	49	211	21	...	194	2,405	5	38	7	3	3	14	2,320	243	17	18	...	1	20,904
		TOTAL ...	7,474	...	...	...	...	267	695	81	...	673	6,246	39	159	26	40	106	420	5,819	1,008	62	28	1	1	52,983
	AMRITSAR.	Sessions Court,	44	11	4	...	...	8	16	1	...	17	4	...	...	...	...	...	...	1	15	5	...	...	...	1,200
13		Amritsar ...	3,800	...	...	...	...	152	683	36	...	446	2,837	36	91	1	71	74	568	2,774	466	35	8	...	...	25,830
14		Gurdáspur ...	1,818	...	...	...	...	279	199	26	...	373	1,209	24	101	4	38	117	232	1,095	446	40	1	...	...	19,023
15		Siálkot ...	1,923	...	...	...	...	268	340	24	...	365	1,015	32	170	6	...	47	100	1,033	314	25	8	...	...	17,938
		TOTAL ...	7,541	...	...	...	...	699	1,222	186	...	1,184	5,061	92	362	11	109	238	900	4,902	1,226	100	17	...	...	62,791
	LAHORE.	Sessions Court,	89	9	5	...	...	34	36	3	...	28	2	2	...	...	...	...	...	1	3	21	5	...	...	3,300
16		Lahore ...	4,041	...	...	...	...	409	547	41	...	524	2,868	31	153	23	21	140	1,851	2,859	479	40	12	1	1	31,712
17		Firozpur ...	2,411	...	...	...	...	236	358	44	...	399	1,676	8	95	2	...	32	77	1,946	106	17	4	2	...	16,556
18		Gujranwálah ...	1,560	...	...	...	...	424	167	12	...	406	894	35	58	5	8	190	546	978	268	52	1	1	...	19,083
		TOTAL ...	8,012	...	...	...	...	1,069	1,072	97	...	1,329	5,438	74	306	30	29	362	2,474	5,783	853	109	17	4	1	67,351

28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55
OF PUNISHMENT.																											
SENTENCED TO FINE.				NUMBER OF PERSONS SENTENCED TO IMPRISONMENT.										NUMBER OF PERSONS WHIPPED.						Total No. of persons punishable with whipping on 1st conviction of offences, under Sec. II.		Total No. sentenced to whipping on 1st conviction.		Total No. of persons liable to whipping on 2nd conviction.		Total No. whipped on 2nd conviction.	
Fines realized.				One month and under.		Above 1 month to 6 months.		Above 6 months to 2 years.		Above 2 years to 7 years.		Above seven years.															
Of amount imposed during the year.	Of amount imposed in previous year.	Amount ordered by way of compensation.	Amount paid by way of compensation.	Rigorous.	Simple.	Rigorous.	Simple.	Rigorous.	Simple.	Rigorous.	Simple.	Rigorous.	Simple.	10 stripes and under.	Above 10 to 20 stripes.	Above 20 to 30 stripes.	Number of persons to whom appeal was barred under Secs. 273 and 274 C. P. C.	Number of persons convicted a second time.	Number of persons convicted for a 3rd time or more.	Adults.	Juveniles.	Adults.	Juveniles.	Adults.	Juveniles.	Adults.	Juveniles.
1,161	69	...	...	...	...	5	...	4	...	14	...	...	...	...	...	...	...	1	1	...	...	...	...	...	...	...	...
14,362	802	1,114	479	116	17	189	6	155	1	20	...	...	...	20	73	39	610	59	44	169	16	110	12	5	...	4	...
11,360	1,208	985	333	55	6	114	7	125	...	12	...	...	...	14	60	51	96	35	9	252	11	105	12	7	1	7	1
6,135	2,440	1,418	732	33	35	148	20	139	1	8	...	...	...	10	76	35	488	68	36	316	19	75	17	47	3	26	3
31,857	4,450	3,517	1,544	204	58	451	33	419	2	40	...	...	...	44	209	119	1,144	162	79	737	46	290	41	59	4	37	4
60	708	30	...	1	...	3	...	9	...	13	...	...	...	...	...	...	...	1	3	...	...	...	...	...	...	...	...
7,644	1,594	1,932	1,312	67	14	167	4	111	...	23	...	...	...	19	32	21	163	17	28	222	12	46	12	20	...	12	...
9,965	858	1,142	921	49	20	104	3	74	...	8	...	...	...	17	38	23	234	12	10	154	20	62	11	9	...	4	...
2,469	865	574	325	18	9	109	2	82	...	...	...	...	...	18	48	9	70	27	10	186	10	49	10	20	1	14	2
20,078	3,317	3,648	2,558	134	43	380	9	367	...	31	...	...	...	54	118	53	467	56	48	562	42	160	33	49	1	30	2
...	400	100	...	1	1	7	...	4	...	10	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
15,926	3,151	3,365	419	88	29	305	21	144	5	10	...	...	...	41	118	27	2,388	113	59	568	44	155	19	12	...	12	...
9,085	1,182	1,566	567	84	11	226	6	203	...	8	...	...	...	28	26	8	325	46	30	389	15	38	12	47	5	10	2
4,060	187	311	95	37	6	40	4	29	...	4	...	...	...	8	11	7	1,529	6	1	20	2	20	2	...	...	...	1
29,071	4,520	5,242	1,081	209	46	571	31	376	5	22	...	...	...	77	155	42	4,242	164	90	977	61	213	33	59	5	22	6
948	1,024	10,000	843	1	...	4	...	8	...	28	...	6	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
9,122	2,351	2,301	1,236	93	13	141	3	103	...	2	...	...	...	31	41	26	346	32	24	353	22	62	17	32	...	19	...
12,222	1,199	719	309	69	35	168	9	119	...	7	...	...	...	16	35	25	310	49	26	326	46	70	1	33	...	5	...
12,225	1,442	1,075	1,236	90	15	112	6	57	...	1	...	...	...	13	17	20	461	13	3	508	7	37	7	6	...	6	...
38,569	4,992	4,695	2,781	252	63	421	18	279	...	10	...	...	...	60	93	71	1,120	94	53	1,187	75	169	25	71	...	80	...
305	679	...	...	...	...	2	1	8	...	13	...	1	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
15,249	3,106	3,874	1,390	280	24	343	9	201	8	11	...	...	...	15	64	49	882	81	88	626	3	98	1	60	1	29	...
9,139	2,767	2,138	417	101	18	193	8	151	...	33	...	...	...	13	39	77	477	113	9	362	4	101	4	24	...	24	...
9,774	1,545	1,512	1,019	89	20	320	67	180	37	19	...	...	...	30	81	97	403	91	13	682	3	186	3	20	3	16	3
34,161	7,418	7,524	2,826	470	62	856	84	532	40	63	...	...	...	58	184	223	1,462	286	110	1,670	74	389	8	104	4	69	3
...	...	250	...	4	3	9	...	40	...	17	...	...	...	...	...	2	...	2	...	...	...	...	...	...	...	...	...
14,402	2,874	2,470	998	126	29	378	11	427	1	25	...	...	...	40	95	72	635	88	37	790	37	152	26	95	1	28	1
6,651	2,265	3,720	1,599	51	39	389	5	140	...	14	...	...	...	54	48	3	360	44	...	719	2	93	2	35	...	8	...
9,420	2,496	3,716	3,267	60	8	137	3	352	1	42	...	...	...	19	53	26	146	93	32	413	5	54	5	52	...	39	...
90,473	7,635	9,912	5,853	237	76	904	19	919	2	81	...	...	...	113	196	101	1,141	225	69	1,922	44	301	33	182	1	75	1

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27
				PERSONS SENTENCED TO													PERSONS ORDERED TO FIND OR GIVE			DETAIL						
					TRANSPORTATION.			IMPRISONMENT.				FINE.		WHIPPING.						NUMBER OF PERSONS						
Number.	DIVISION.	DISTRICT.	Total number of persons punished.	Death.	For life.	For a term.	Penal servitude.	*Rigorous.* With solitary confinement.	*Rigorous.* Without solitary confinement.	Simple.	Forfeiture of property.	With imprisonment.	Without imprisonment or transportation.	In addition to other punishment.	*In lieu of other punishment.* Adults.	*In lieu of other punishment.* Juveniles.	Security to keep the peace.	Recognizance to keep the peace.	Security for good behaviour.	Rupees 10 and under.	Above Rs. 10 to Rs. 50.	Above Rs. 50 to Rs. 100.	Above Rs. 100 to Rs. 500.	Above Rs. 500 to 1,000.	Above Rs. 1,000.	Total amount of Fines.
		Sessions Court.	64	24	18	...	...	4	18	...	...	12	...	...	...	...	...	...	8	...	...	4	8	...	1	5,038
19	RAWALPINDI.	Rawalpindi ...	3,665	...	...	...	...	147	428	11	...	417	2,266	35	180	23	51	292	149	2,034	555	77	17	...	...	36,408
20		Jhelam, ...	2,379	...	...	...	...	175	313	10	...	430	1,816	4	57	6	94	131	80	1,799	411	27	11	...	...	21,292
21		Gujrat ...	1,383	...	...	...	...	204	418	12	...	381	618	24	49	13	14	50	185	690	262	41	6	...	...	16,452
22		Shahpur ...	1,321	...	...	...	...	377	287	18	...	600	1,129	7	51	9	...	277	75	984	624	105	16	...	...	37,638
		TOTAL ...	8,569	...	...	...	...	903	1,396	51	...	1,828	5,931	70	337	51	159	750	489	5,507	1,852	250	50	...	...	1,11,790
		Sessions Court.	42	10	5	...	...	19	3	...	...	11	2	...	...	3	...	...	...	1	1	9	2	...	...	1,560
23	MULTAN.	Multan ...	2,544	...	...	...	...	205	267	15	...	406	1,893	42	79	25	10	11	129	1,944	328	23	4	...	...	16,378
24		Jhang ...	1,612	...	...	...	...	158	448	12	...	526	922	23	68	4	...	22	15	989	429	22	8	...	...	20,833
25		Montgomery	1,539	...	...	...	...	33	582	10	...	504	568	27	41	7	6	13	282	763	293	10	6	...	...	13,228
26		Muzafargarh	883	...	...	...	...	153	194	13	...	287	485	4	33	5	...	4	69	491	260	15	6	...	...	12,092
		TOTAL, ...	6,578	...	...	...	...	907	1,491	50	...	1,729	3,868	96	221	44	16	50	496	4,187	1,310	79	24	...	...	62,531
		Sessions Court.	61	16	16	...	...	25	2	...	...	15	2	...	...	...	...	...	...	...	3	5	9	...	...	2,600
27	DERAJAT.	Bannu ...	1,761	...	...	...	...	111	194	7	...	187	1,399	5	47	3	363	457	474	1,362	204	16	3	1	...	14,214
28		D. I. Khan...	1,246	...	...	...	...	172	398	7	...	405	612	13	45	6	83	92	213	627	303	67	19	1	...	20,480
29		D. G. Khan ...	2,449	...	...	...	...	186	436	41	...	301	1,692	25	87	7	103	20	122	1,599	292	63	32	7	...	26,607
		TOTAL ...	5,456	...	...	...	...	469	1,028	55	...	893	3,703	43	179	16	551	569	809	3,588	799	146	54	9	...	61,301
		Sessions Court.	145	48	18	1	...	5	70	...	9	49	2	2	...	6	3	3	16	...	21	18	12	...	...	5,470
30	PESHAWAR.	Peshawar ...	2,331	...	...	...	...	198	473	18	...	300	1,710	4	92	40	676	369	649	1,368	500	89	50	3	...	40,525
31		Kohat ...	666	...	...	...	...	53	143	13	...	130	445	3	8	4	227	1	188	392	155	23	5	...	...	8,416
32		Hazára ...	1,133	...	...	...	...	93	149	16	...	155	832	1	41	2	121	74	121	658	263	45	21	...	...	15,777
		TOTAL ...	4,330	...	...	...	...	344	765	47	...	585	2,987	8	141	46	1,024	444	958	2,418	918	157	76	3	...	64,718
	ABSTRACT.	Sessions Courts, 1873	641	132	97	18	...	122	235	5	9	184	23	4	...	9	3	3	29	8	72	75	49	1	2	35,823
		Magistrates' Courts, 1873	64,883	...	...	...	...	5,918	9,513	794	...	10,378	46,978	537	2,518	334	1,050	2,059	7,521	44,478	10,471	1,051	332	32	2	6,12,936
		Chief Court, 1873	1	...	...	...	...	...	1	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...

28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55

OF PUNISHMENT.

SENTENCED TO FINE.				NUMBER OF PERSONS SENTENCED TO IMPRISONMENT.										NUMBER OF PERSONS WHIPPED.													
Fines realized.				*One month and under,*		*Above 1 month to 6 months.*		*Above 6 months to 2 years.*		*Above 2 years to 7 years.*		*Above seven years.*								*Total No. of persons punishable with whipping on 1st conviction of offences under Sec. II.*		*Total No. sentenced to whipping on 1st conviction.*		*Total No. of persons liable to whipping on 2nd conviction.*		*Total No. whipped on 2nd conviction.*	
Of amount imposed during the year.	Of amount imposed in previous years.	Amount ordered by way of compensation.	Amount paid by way of compensation.	Rigorous.	Simple.	Rigorous.	Simple.	Rigorous.	Simple.	Rigorous.	Simple.	Rigorous.	Simple.	10 stripes and under.	Above 10 to 20 stripes.	Above 20 to 30 stripes.	Number of persons to whom appeal was barred under Secs. 273 and 274 C. P. C.	Number of persons convicted a second time.	Number of persons convicted for a 3rd time or more.	Adults.	Juveniles.	Adults.	Juveniles.	Adults.	Juveniles.	Adults.	Juveniles.
100	336	...	...	...	...	4	...	5	...	10	...	3	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
24,312	3,538	6,618	4,593	122	8	290	3	141	...	22	...	...	...	31	118	89	1,820	54	22	521	29	179	21	44	4	34	4
13,914	784	3,022	1,657	106	5	246	5	124	...	12	...	...	...	20	35	12	74	21	20	394	...	69	...	9	...	4	...
7,482	3,727	2,393	908	118	7	155	5	284	...	65	...	...	...	13	26	47	223	77	15	549	9	49	12	48	1	24	1
15,902	6,709	2,458	965	52	3	171	13	304	2	87	...	...	...	4	31	32	318	69	24	369	9	51	9	31	...	7	...
61,610	14,788	14,491	8,213	398	28	862	26	853	2	186	...	...	...	68	210	180	1,935	221	81	1,833	47	342	42	132	5	69	5
550	116	250	50	...	...	...	...	7	...	14	...	1	...	...	1	2	3	2	2	...	...	...	...	...	...	...	...
10,556	2,280	1,206	738	68	7	227	7	223	1	13	...	1	...	18	48	80	57	68	25	606	25	86	25	57	...	35	...
11,000	4,275	4,850	3,542	80	4	352	5	185	3	19	...	...	...	26	23	46	216	112	18	385	4	62	6	51	...	27	...
5,717	2,821	1,354	309	158	5	431	5	296	...	28	...	...	...	10	25	40	155	40	18	842	3	43	7	46	...	25	...
5,375	2,301	1,047	527	67	9	142	4	124	...	14	...	...	...	4	15	23	78	23	7	328	7	33	5	8	...	4	...
32,648	11,627	8,457	5,116	343	25	1,152	21	828	4	74	...	1	...	58	111	189	506	243	68	2,161	39	224	43	162	...	91	...
150	...	...	...	...	...	...	...	4	...	16	...	7	...	...	...	...	2	1	...	...	...	...	...	...	...	...	...
12,241	503	3,145	2,934	52	5	129	2	109	...	15	...	...	...	8	34	13	1,466	64	8	267	5	42	3	17	...	10	...
12,384	1,514	2,685	918	124	5	207	1	215	1	24	...	...	...	19	28	17	232	28	13	472	6	45	6	17	...	13	...
16,560	4,476	3,325	2,674	55	35	274	3	272	3	21	...	...	...	19	27	73	337	72	15	680	7	87	7	80	...	25	...
41,185	6,493	9,155	6,556	231	45	610	6	596	4	60	...	...	...	46	89	103	2,035	164	36	1,419	19	174	16	114	...	48	...
474	905	1,415	819	...	...	2	...	21	...	45	...	7	...	...	1	7	7	...	1	...	...	...	...	...	...	...	...
23,139	7,552	12,539	10,669	106	1	305	7	254	10	6	...	...	...	30	52	54	594	27	2	474	36	92	39	7	...	5	...
5,511	707	1,763	937	26	10	106	2	57	1	7	...	...	...	...	12	8	159	2	5	76	...	10	4	1	...	1	...
8,895	2,154	2,455	1,078	35	12	130	4	60	...	11	...	...	...	9	25	10	450	17	4	174	2	39	2	21	...	3	...
37,545	10,413	16,757	11,684	167	23	541	13	377	11	24	...	...	...	39	89	67	1,203	46	11	724	38	141	45	29	...	9	...
3,743	4,297	12,045	1,712	7	4	36	1	110	...	130	...	24	...	...	2	11	12	7	7	...	...	...	...	...	...	...	...
3,52,197	75,623	83,398	48,212	2,645	464	6,748	260	5,446	70	591	...	1	...	617	1,454	1,148	15,253	1,661	645	13192	421	2,399	319	961	20	480	21
...	...	...	...	...	...	...	...	1	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...

The total number of persons punished was 65,527, being 5 per cent in excess of the number last year.

There were 132 capital sentences inflicted, being eight less than in 1872. Of these, 43 were in the Pesháwar and 24 in the Ráwalpindi Division. The number of persons transported for life is 98, being one more than last year. Almost a new feature in the return of punishments is the 18 sentences of transportation for a term, of which 14 were passed by the Commissioner of Dehli. The Commissioner's attention has been called to Supreme Government Resolution No. 2032, dated 28th December 1868,* which deprecates transportation for a term on administrative grounds.

Imprisonment.

64. The number of persons punished with imprisonment has decreased by 5 per cent. Of the total number imprisoned, 4·8 per cent were punished with simple imprisonment.

Of 15,789 persons sentenced to rigorous imprisonment, 6,040, or 38 per cent, were punished with solitary confinement. The proportion last year was 33 per cent. This slight increase is probably due to the power given by the new Code to second class Magistrates of inflicting sentences of solitary confinement, and is not so great as might have been expected.

The districts in which this salutary law has been most freely used are Sirsa, Ludhiánah, Gurdáspur, Gujránwálah and Sháhpur.

In districts of Amritsar and Kángra it seems to have been specially neglected, and in both cases the Commissioner has called attention to the subject.

The proportion of persons punished with rigorous imprisonment for terms upwards of six months has slightly increased. The number of sentences for terms exceeding two years was noticeably high in the districts of Gujrát and Sháhpur. Sentences of a month and under have decreased from 25 to 18·8 per cent.

The number of sentences of simple imprisonment and of forfeiture of property is almost the same as last year.

All the latter sentences, nine in number, were passed by the Commissioner of Pesháwar. The Deputy Commissioner Pesháwar advocates this mode of punishment. The Commissioner remarks that although he is trying the effect of this punishment in a few special cases, he is uncertain as to its applicability to society in Pesháwar and Kohát.

* Circulated with Chief Court's Book Circular II of 1869.

Fines.

65. The per-centage of persons sentenced to fine only, 70 per cent, is substantially the same as last year. The per-centage is noticeably high in the following districts :—

Simla	91	per cent.
Kángra	88	,,
Ambálah	87	,,

The Commissioner of Jálandhar considers that fine as a sole punishment has been too freely resorted to in Kángra.

The following Statement shews the average fine imposed per head, and the per-centage of fines realized in each district during the years 1872 and 1873 :—

DISTRICTS.		Average amount of fine per head.	Per-centage of fine realized.
Delhi	1873	9	68
	1872	6	67
Gurgáon	1873	13	74
	1872	10	54
Karnál	1873	11	43
	1872	12	49
Hissár	1873	10	63
	1872	13	56
Rohtak	1873	8	83
	1872	10	68
Sirsa	1873	13	45
	1872	10	49
Ambálah	1873	7	58
	1872	4	84
Ludiánah	1873	6	63
	1872	9	56
Simla	1873	4	57
	1872	3	79
Jálandhar	1873	8	58
	1872	8	65
Hoshiárpur	1873	6	75
	1872	7	72
Kángra	1873	8	58
	1872	5	72

DISTRICTS.		Average amount of fine per head.	Per-centage of fine realized.
Amritsar	1873	7	59
	1872	10	55
Siálkot	1873	12	55
	1872	13	52
Gurdáspur	1873	12	48
	1872	14	44
Lahore	1873	9	45
	1872	6	56
Gujránwálah	1873	14	49
	1872	11	55
Firozpur	1873	7	40
	1872	10	55
Ráwalpindi	1873	13	67
	1872	13	66
Jhelam	1873	9	65
	1872	9	74
Gujrát	1873	16	46
	1872	14	37
Sháhpur	1873	21	42
	1872	17	52
Multán	1873	7	65
	1872	10	58
Jhang	1873	14	53
	1872	13	53
Montgomery	1873	12	43
	1872	12	43
Muzaffargarh	1873	15	45
	1872	11	53
Dernh Ismail Khán	1873	20	62
	1872	15	62
Dera Ghazi Khán	1873	13	62
	1872	15	55
Bannu	1873	8	86
	1872	10	57
Pesháwar	1873	20	57
	1872	17	71
Hazára	1873	15	56
	1872	16	77
Kohát	1873	14	66
	1872	20	52
Total	1873	10·8	57
	1872	9·5	58

A comparison of the two years seems to shew on the whole that as the average fine imposed increases, realization decreases; but there are several exceptions, and a comparison of district with district for the year under report fails to bear out the principle.

Not only must the amount of the fine be adjusted to the circumstances of the person fined, but attention must also be paid to the recovery of the fine imposed before satisfactory realization can be attained.

The average fine per head for the province in the past year (*viz.* Rs. 10·8) appears far too high.

The rule allowing a fortnight's grace before issue of coercive process for recovery, and insufficiency of ministerial establishment, are perhaps the two most probable reasons put forward for unsuccessful realization. With respect to the first it must be remembered that the rule is permissive not obligatory.

Suggestions and remarks on the subject of fines are given in Appendix II.

Compensation paid out of fine is generally in proportion to realizations.

The decrease in realizations in the Ambálah district, from 84 to 58 per cent, is partially explained by the Deputy Commissioner.

Whipping.

66. Of a total number of 14,594 persons liable to whipping on first and second conviction, 3,232 were whipped. Of these, 541 were whipped in addition to, and 2,691 in lieu of, other punishment.

There is a decrease upon the number of last year of 18 per cent, attributable probably to the provision of the new Code under which a sentence of whipping can only be executed at the head quarters of the district.

The Deputy Commissioner of Montgomery advocates whipping as a sole punishment on first conviction of cattle-theft.

Part IV.—Preventive Jurisdiction.

How exercised.

67. The annexed table shews how the preventive jurisdiction of Magistrates, (*viz.* jurisdiction under Chapters XXXVI to XLI of the Code of Criminal Procedure) has been exercised during the year.

These cases are also shewn in Imperial Statement No. 4.

Nature of jurisdiction.	Total cases.	Persons with respect to whom action was taken.
Security or recognizance to keep the peace—Chapter XXXVII Criminal Procedure Code.	1,525	4,904
Security for good behaviour—Chapter XXXVIII Criminal Procedure Code.	4,126	7,338
Local Nuisances—Chapter XXXIX Criminal Procedure Code ...	365	322
Disputes concerning land and water—Chapter XL Criminal Procedure Code.	74	161
Maintenance—Chapter XLI Criminal Procedure Code. ...	2,566	441

68. Security or recognizance to keep the peace was exacted chiefly in the following districts:—

Security to keep the peace.

In Pesháwar	from	1,045	persons.
Bannú	... ...	820	„
Ráwalpindi	... ...	343	„
Sháhpur	... ...	277	„

Of the total number from whom it was demanded (4,904) only 133 were imprisoned in default of furnishing it.

In Gurgáon, Hissár, Sirsa, Kángra and Muzaffargarh the provisions of this Chapter are hardly used.

69. The increase in the number of cases in which security for good behaviour was demanded is remarkable. The number of persons called upon to furnish such security in 1872 was 1,890. In the year under report it was 7,338.

Security for good behaviour.

Of these it appears that 2,491, or nearly 34 per cent, being unable to find the required security, were imprisoned in default; but subsequent releases upon security being furnished, are not shewn in the statement; and it is obvious from the reports that many of those imprisoned in the first instance were afterwards released.

The districts in which this law was most freely used are the following:—

In Lahore	security was demanded	from 1,851	persons.
Pesháwar,	... ...	... 649	
Amritsar,	... ...	... 568	
Gujránwálah,	... ...	 546	
Bannú,	... ...	... 474	

The class of crime which the use of this preventive measure would be likely to affect consists of the more serious offences against property, such as thefts, burglaries, and receiving of stolen property.

From the annexed table it will be seen that in three out of the five districts above noted there has been no diminution in this class of cases.

The decrease however in Lahore and Peshâwar is very marked.

DISTRICT.		Thefts of all kinds (Secs. 4, 379, 380, 381.)	House breaking of all kinds, (Secs. 454, 456, 457, 458.)	Receiving stolen property (Secs. 411—414).	TOTAL.
Lahore ...	1872 ...	1,488	792	332	2,612
	1873 ...	1,148	637	286	2,071
Peshâwar ...	1872 ...	517	1,406	105	2,028
	1873 ...	466	992	87	1,545
Amritsar ...	1872 ...	707	617	101	1,425
	1873 ...	880	463	128	1,471
Gujrânwâlah ...	1872 ...	522	222	103	847
	1873 ...	655	320	90	1,065
Bannû ...	1872 ...	275	261	76	612
	1873 ...	320	306	83	709

And in other districts where a free use has been made of this law, such as Jâlandhar and Gujrât, the diminution of these offences is decided. Although there are many exceptions to the rule, yet on a review of the statistics of the whole province there is ground for holding that the demanding of security from bad characters has directly diminished crime.

There is however, as the Commissioner of Hissâr points out, another side to the question: namely, the incentive put upon a village to conceal an offence which has been committed by one for whose good behaviour the lambardar or other respectable person of the village has given security.

The Deputy Commissioner Muzaffargarh thinks that where the case is tried by the Magistrate of the district, from whose order in this class of cases no appeal lies, the English memorandum which the law enjoins might be well dispensed with. Such cases not unfrequently come before the Chief Court in revision, and it is extremely undesirable that any greater facility than is already provided should be given for the working of a law which unless carefully watched may become an engine of grave oppression.

Extracts from various reports on this subject will be found in Appendix II.

70. The procedure for disposing of local nuisances prescribed by the Code (Chapter XXXIX) is not very generally used, inasmuch as there are other laws, municipal and sanitary, under which such cases can be dealt with.

Local Nuisances.

Of the cases that occurred (365), the largest number, *viz.* 117, were in the Karnál district.

Of the persons upon whom the order of the Court was laid, 332 were punished for disobedience. Of these, 120 were in the Ludiánah district.

71. There were 74 disputes concerning possession, involving 161 persons. Of these, 25 cases, involving 42 persons, were in the Pesháwar district. The statements furnish no details of the orders given.

Possession.

72. There were 2,566 applications for maintenance by wives or children, under Chapter XLI of the Code.

Maintenance.

Summons upon the husband or father was granted in 2,323 cases, but only 441 persons were ordered to give maintenance. Of these, two were put into prison for refusal to fulfil the order.

The following are the districts in which the largest number of such cases occurred :—

	Applications.	*Maintenance orders passed.*
Hoshiárpur ...	204	21
Gujrát ...	185	6
Amritsar ...	168	47
Siálkot ...	168	20

Courts are averse to giving an order of maintenance except in the clearest cases. The petitioner if the order is refused can resort to the Civil Court.

Part V.—Appellate Jurisdiction of Sessions Courts and Magistrates.

73. Imperial Return No. 5, in Appendix I, shews the general out-turn of the appellate work of the province.

General results.

74. Magistrates of districts disposed of 2,443 cases of appeal during the year, as compared with 2,287 in 1872.

Appeals in Magistrates' Courts.

In these 2,443 cases were involved 4,400 persons, who were disposed of as follows:—

In the case of 126 the appeal was rejected on technical grounds.
„ 2,797 sentences were confirmed.
„ 711 modified.
„ 97 enhanced.
„ 666 reversed.

Of the 2,797 whose sentences were confirmed, the files of the trial were called for and perused in the case of 2,617. In the case of the rest, the appeal was rejected after perusal of copy of judgment and petitions of appeal and hearing of appellant or his agent if he appeared.

Of the sentences enhanced, one-fifth (*viz:* 20) were in the Hoshiarpur district.

The following table shews the per-centage of appeals reversed by Deputy Commissioners:—

DISTRICTS.	Cases disposed of.	PERSONS.		
		Whose appeals were disposed of.	Whose sentences were reversed.	Per-centage of reversals.
Dehlí ...	71	179	11	6
Gurgáon ...	70	180	17	9
Karnál ...	69	88	21	24
Hissár ...	73	116	15	13
Rohtak ...	91	208	45	21
Sirsa ...	32	51	10	19
Ambálah ...	127	159	23	14
Ludiánah ...	162	204	60	29
Simla ...	...	...	...	
Jálandhar ...	148	188	50	26
Hoshiárpúr ...	171	353	78	22
Kángra ...	48	55	8	14
Amritsar ...	206	452	140	31
Gurdáspúr ...	104	160	20	12
Siálkót ...	85	171	15	9
Lahore ...	112	202	29	14
Gujránwálah ...	78	121	14	11
Firozpúr ...	97	150	23	15
Ráwalpindi ...	82	156	6	4
Jhelam ...	86	191	22	11
Gujrát ...	55	96	13	13
Sháhpúr ...	56	100	15	15
Multán ...	63	168	28	16
Jhang ...	63	104	14	13
Montgomery ...	80	149	24	16
Muzaffargarh ...	40	68	7	10
Bannú ...	60	121	17	14
Derah Ismail Khán ...	25	54	19	35
Derah Gházi Khán ...	33	38	8	21
Pesháwar ...	40	115	33	28
Hazárá ...	12	36	...	...
Kohát ...	5	5	1	20

It will be seen that the per-centage of reversals was the highest in the districts of Dera Ismail Khan and Amritsar, and it may be generally remarked with reference to the frontier districts that though appeals are comparatively few yet they are comparatively successful.

The average per-centage of reversals for the province is 15, as compared with 19 last year.

The heaviest amount of appellate work during the year has fallen upon the Deputy Commissioner of Amritsar.

The average duration of appeals is, as has been noticed under the head of Procedure, 4 days.

Of the 2,443 cases disposed of, 144 were returned for further enquiry before disposal.

Appeals in Sessions Courts.

75. The following table shews the number and the results of appeals in the Sessions Courts of the province:—

Sessions Courts.	For disposal.		Disposed of.								Pending on 31st December 1873.		Average duration of appeals disposed of.	Date of oldest appeal undisposed of at close of year.
			Persons.						Total.					
	Cases.	Persons.	Appeals rejected on technical grounds.	Sentences confirmed.	Sentences modified.	Sentences enhanced.	Sentences reversed.	Proceedings quashed.	Cases.	Persons.	Cases.	Persons.		
Dehli	253	346	18	274	1	...	51	...	251	344	2	2	17	24th Dec. '73.
Hissár	194	257	41	155	26	4	30	...	193	256	1	1	5	23rd Dec. '73.
Ambálah	305	355	24	251	13	7	60	...	305	355	...	...	7	...
Jálandhar	221	283	12	191	13	...	9	3	219	231	2	2	26	10th Dec. '73.
Amritsar	366	398	...	306	14	...	23	...	311	343	55	55	57	28th July '73.
Lahore	355	414	16	287	33	*25	38	3	342	401	13	13	16	18th Nov. '73.
Ráwalpindi	166	267	4	199	25	...	17	...	148	245	18	22	45	3rd Octr. '73.
Multán	461	610	36	421	36	9	96	...	451	598	10	12	11	23rd Dec. '73.
Derájat	253	302	27	184	23	7	64	5	251	300	2	2	10	22nd Dec. '73.
Pesháwar	209	286	19	168	17	†13	38	2	209	277	5	9	13	10th Dec. '73.
Total ...	2,779	3,468	197	2,455	201	65	416	13	2,671	3,330	108	118	20	

The number of cases disposed of shews a decrease upon the number of last year of 293, which may be considered as partially balanced by the increase in the number of cases disposed of by Deputy Commissioners.

* Chiefly Firozpur and Lahore.
† Pesháwar alone.

The appellate work is heaviest still, as in 1872, in the Multán Division, where the per-centage of reversals also is noticeably high, being 16 per cent. The per-centage of reversals in the Court of the Commissioner Derájat is 18 per cent.

The Commissioner of Multán notices the large proportion of reversals, and shews that it is due to the unsatisfactory work of four particular Courts in the Division. The number of cases of appeal in the Pesháwar Division has fallen from 304 to 200, and in the Ráwalpindi Division from 299 to 148. The Additional Commissioner of Pesháwar attributes the decrease to the diminution of crime in the Pesháwar district and the power now vested in the Appellate Court of enhancing punishment.

This power of enhancement was most freely used in the Lahore and Pesháwar Divisions.

It would be premature to speak of the effect of this new power of enhancement in influencing the number of appeals. It must take some little time before the law is generally known.

Part VI.—Chief Court Jurisdiction.

Reference to Chief Court.

76. There were for disposal on the Reference Side during the year, the cases of 151 persons. All were disposed of except 4 cases, involving 6 persons.

The following statement shews how the cases were disposed of :—

Divisions.	For disposal.		Disposed of.					Pending at the end of the year.			Remarks.
	No. of cases.	No. of persons.	No. of cases.	No. of persons.	Sentences confirmed.	Sentence modified.	Persons acquitted.	No. of cases.	No. of persons.	Average No. of days each case lasted.	
Dehli ...	10	14	10	14	11	1	2	...	...	15	
Hissár ...	3	4	3	4	4	...	...	...	...	24	
Ambálah ...	3	4	3	4	4	...	...	...	...	15	
Jálandhar ...	6	7	5	6	5	1	...	1	1	6	
Amritsar ...	10	14	9	13	11	2	...	1	1	21	
Lahore ...	8	9	8	9	8	1	...	...	...	26	
Ráwalpindi ...	18	27	17	26	16	2	8	1	1	17	
Multán ...	11	17	11	17	10	6	1	...	...	11	
Deraját ...	9	12	9	12	12	...	...	...	...	12	
Pesháwar ...	35	43	34	40	24	4	11	1	3	19	One man died in jail before sentence.
Grand Total ...	113	151	109	144	105	17	22	4	6	17	

77. The following Statement shows the number of Criminal Appeals instituted against the orders of the Commissioners and Deputy Commissioners:—

Divisions.	Appeals against the orders of Commissioners.	Appeals against the orders of Deputy Commissioners.	Remarks.
Dehli ...	27	24	
Hissár ...	17	18	
Ambálah ...	21	18	
Jálandhar ...	38	10	
Amritsar ...	25	46	
Lahóre ...	28	36	
Ráwalpindi ...	38	135	
Multán ...	34	44	
Deraját ...	29	49	
Pesháwar ...	66	10	
Total ...	323	390	= 713 cases.

78. Including the 26 pending at the close of 1872, there were for disposal 739 appeals, in which 953 persons were concerned. The largest number of appeals was from the Pesháwar (37), Sháhpur (57), and Gujrát (53) districts.

Appeals in Chief Court.

The smallest number of appeals was received from the Sirsa (2) and Simla (4) districts.

All but 63 were disposed of during the year, and with the following results:—

Rejected in the case of	190	persons,
Orders confirmed, ...	472	„
Sentences modified, ...	80	„
Do. reversed, ...	133	„
Do. enhanced, ...	6	„
Proceedings quashed under Section 284 Criminal Procedure Code	2	„

79. The following statement shews the number of Criminal cases received for revision under Sections 296, 297, 294, Criminal Procedure Code:—

Revision.

Divisions.	Petitions presented by the petitioner in person or through agent.	Cases referred by the Deputy Commissioners and Commissioners on Revision Side under Sec. 296.	Cases called for on Statement under Sec. 294, C. P. C.	Total.
Dehli ...	25	16	1	42
Hissár ...	15	7	1	23
Ambálah ...	29	13	2	44
Jálandhar ...	47	10	3	60
Amritsar ...	98	24	3	125
Lahore ...	102	12	3	117
Ráwalpindi ...	68	8	1	77
Multán ...	39	10	...	49
Deraját ...	20	11	2	33
Pesháwar ...	35	10	1	46
Total ...	478	121	17	616

During the year there were for disposal 623 cases, including 7 pending from previous year, in which 1,238 persons were concerned.

In regard to the persons sentenced by the Lower Courts, the Chief Court

rejected the applications of 536 persons.

Confirmed the sentences on 143 „

Modified the sentences on 65 „

Reversed the sentences on 182 „

Remanded the cases of 15 „

Enhanced the sentences of 8 „

In four of these cases the fine was increased; in four imprisonment was either added or enhanced,

In the above are included applications made under the provisions of Section 297, Criminal Procedure Code, by complainants to Chief Court for the retrial of 137

persons. Applications were successful in regard to 32 persons. The orders of Lower Courts with respect to 96 persons were not interfered with.

There were undisposed of at the end of the year, 32 cases and 161 persons.

The average duration of each case was 20 days.

The largest numbers of cases were received from the Amritsar and Lahore Divisions, and the smallest number from Hissár and Deraját Divisions.

Miscellaneous.

80. In addition to the above, the Chief Court disposed of 23 Miscellaneous Criminal cases.

Original Jurisdiction.

81. Owing to the alteration in the Criminal Procedure Code, only three original cases were tried by the Chief Court :—

District from which committed.	Sessions. Where held.	Sessions. No. of trials.	Accused.	Of what offence convicted.	Nature of sentence.
Peshawar ...	Peshawar ...	1	Henry Stickles ...	...	Acquitted.
Multan ...	Lahore ...	2	William Henry Stanley	...	Acquitted.
Simla ...	Lahore ...	3	Richard Luther ...	Breach of trust as a public servant, Sec. 409 Indian Penal Code.	18 months rigorous imprisonment.

Part VII.—General.

Dealing with Habitual Criminals.

82. The marked feature of the year's Criminal administration is the effort that has been generally made to check habitual criminals by passing deterrent sentences and demanding security for good behaviour. The latter subject has been noticed under the head of Preventive Jurisdiction.

Deterrent sentences.

83. In Gujrát and Shálipur, and in less degree in Gujránwálah and Gurdáspúr, the practice of passing heavy sentences on confirmed criminals has been systematically pursued; and in these as well as in other districts the entertainment of such cases (that is, cases where determined offenders are concerned) by Magistrates not possessed of full powers has been provided against ; but that this precaution is not of universal use, as it should be,

is shewn from the reports and from cases which have come to the notice of the Chief Court during the year. It requires constant watchfulness on the part of Deputy Commissioners to prevent Tahsildars and others from disposing of cases which they cannot adequately punish.

Section 75 of the Indian Penal Code, and Section 315 of the Code of Criminal Procedure taken together form a powerful machinery for dealing with habitual crime, and a systematic use of this machinery it is the duty of the Magistrate to enforce.

Juries and Assessors.

84. A statement shewing the use of Juries and Assessors is given in Imperial Return No. 11.

In Multán a jury was employed for the trial of European British subjects by the Sessions Court. This was apparently due to a misapprehension of the Sessions Court that trial by jury of European British subjects had been ordered by the Local Government, which is not the case. In the other cases in which European British subjects were concerned assessors were employed.

Of cases tried by aid of assessors, in only 6·4 per cent did the Judge differ from them.

A rule was introduced during the year for the payment of expenses to assessors who applied for it.

It is not known how far the rule, which has only been in force for five months, has been put in practice. The subject will be noticed in next year's report.

Detention of witnesses.

85. The number of witnesses who attended during the year has increased from 1,81,075 in 1872 to 1,94,433 in 1873. An increase which is proportimate to the larger number of cases tried. On an average 3 witnesses were examined in each case.

Of the total number examined there were retained, one day, 87 per cent.

Two days,	9 per cent.
Three days,	2 per cent.
Four days and upwards,	1 per cent.

Witnesses were detained for comparatively long periods in the following districts :—

	4 days.	5 days.	6 to 8 days.	9 to 15 days.	16 days and upwards.
Dehli	111	55	30	17	...
Gurgáon	37	26	8	14	...
Rohtak	49	16	8	...	...
Sirsa	10	8	23	6	...
Ambálah	57	25	33	...	...
Ludiánah	35	5	...	...	...
Kángra	21	6	4	...	...
Amritsar	38	32	60	9	...
Lahore	91	49	31	...	...
Ráwalpindi	182	62	43	10	...
Jhelam	22	10	...	...	...
Gujrát	60	8	...	...	...
Sháhpur	69	18	...	...	...
Derah Ismail Khán	49	...	10	11	...
Multán	47	18	12	...	...
Jhang	26	9	7	...	...
Montgomery	136	32	5	...	...
Pesháwar	52	30	29	32	...
Hazára	13	14	2	13	17
Kohát	42	28	76	38	107

The diaries of witnesses are kept up in all districts, and the majority of officers who have noticed the subject speak of them as generally reliable.

It is not believed that there is any avoidable detention of witnesses. but that detention is generally due to heavy cases, and to a number of cases coming in together. It is believed further that the keeping up of the diary operates as an useful check.

Expenses of witnesses.

86. The sum of rupees 13,916 was paid as diet money to witnesses as shwen in the following statement:—

District.	Number of witnesses examined.	Amount of diet money paid.	Proportion per cent of witnesses dieted to the number examined.
Dehli	8,173	151	7
Gurgáon	5,545	395	12
Karnál	6,744	171	23
Hissár	4,910	390	14
Rohtak	5,594	156	12
Sirsa	2,888	113	24
Ambálah	8,717	1,881	33
Ludiánah	6,838	818	56
Simla	1,407	122	2
Jálandhar	4,517	170	10
Hoshiárpur	6,064	687	51
Kángra	3,368	131	10
Amritsar	13,706	660	4
Siálkot	6,846	864	51
Gurdáspur	7,484	497	33
Lahore	13,245	910	35
Gujránwálah	7,881	96	4
Firozpúr	5,805	1,393	56
Ráwalpindi	8,926	385	19
Jhelam	5,369	397	23
Gujrát	5,982	575	71
Sháhpur	4,552	73	2
Multán	7,259	409	18
Jhang	3,551	435	32
Montgomery	7,857	902	60
Mozuffargarh	6,363	377	31
Derah Ismail Khán	4,400	411	11
Derah Ghazi Khán	4,224	49	1
Bannú	3,796	32	0·3
Pesháwar	7,568	...	...
Hazára	2,441	48	2
Kohát	2,165	218	17

The statement includes sums paid by police. As was observed in last year's report, the practice of paying expenses to witnesses varies considerably.

The rule hitherto has been that expenses should be paid to witnesses in cognizable cases and cases referred for enquiry by police, but it has never been generally adopted. It will be observed that in Pesháwar, not a single witness received diet money. In the rules just issued by the Local Government the class of

cases in which expenses are payable is somewhat enlarged, but the payment is left to the discretion of the Court.

As the question is one involving financial considerations the Chief Court do not express any opinion on the subject.

87. Mr. Justice Lindsay has been on a tour of inspection during the year, and has visited the districts of Pesháwar, Kohát, Ráwalpindi, Jhelam, Gujrát and Gujránwálah.

88. The Divisional Reports were received on the dates noted below :—

Dehli, 15th March 1874.
Hissár, 9th Ditto.
Ambálah, 19th February 1874.
Jálandhar, 23rd Ditto.
Amritsar, 21st March 1874.
Lahore, 31st Ditto.
Ráwalpindi, 27th February 1874.
Multán, 10th March 1874.
Derájat, 4th Do.
Pesháwar, 23rd February 1874.

I have, &c.

E. H. HARRISON,

Officiating Registrar.

APPENDIX. I.

IMPERIAL RETURNS.

No. 1.

STATEMENT SHOWING THE VARIOUS JUDICIAL TRIBUNALS, ORIGINAL AND APPELLATE, EXISTING IN THE PROVINCE OF THE PANJAB ON THE LAST DAY OF THE YEAR 1873.

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21
Class of tribunals, distinguishing those which exercise powers in one department from those exercising powers in two or three departments, and those consisting of paid from unpaid Judges.	Number of Judicial Divisions.	Average area of each Division in square miles.	Average population of each Division.	Number of tribunals.	Constitution of tribunals, stating number of Judges in each, and Jury or Assessors, if any.	Judicial powers of each tribunal, original and appellate.	Prescribed qualifications of Judges previous to appointment.	TOTAL NUMBER OF JUDGES. European. Covenanted.	Commissioned Military.	Uncovenanted.	Native.	Average annual salaries of officers.	Aggregate annual cost of establishment.	Executive or other functions exercised by the same officer.	Average number of days devoted to Judicial work.	Average number of Advocates attached to each tribunal.	NO. OF CASES DECIDED DURING THE YEAR. Criminal.	Civil.	Revenue.	Appeal.
Local Magistrates of 3rd Class exercising Criminal powers only ... Paid	10	10,200 square miles.	17,01,149	18	1	Section 22, Act X of 1872.		1	3	6	6			Cantonment Magistrates and Naib-Tahsildárs.	The entire year, Sundays and gazetted Holidays exception.		391	...	...	...
Unpaid				30	1			3	4	12	11			Canals, Customs, and Forest Department Officers.			510	...	...	...
Local Magistrates of 3rd Class exercising Civil and Criminal powers Paid				114	1	Section 22, Act X of 1872, and Sections 4, 6 and 7 of Act XIX of 1865.		1	...	3	110			Sub. Collectors employed generally on administrative works, Supdts. of Abkari and Registration.			11,061	59,455	3,853	...
Unpaid				15	1			1	...	...	14			Honorary Magistrates ...			1,891	3,353	...	...
Local Magistrates of 2nd Class exercising Criminal powers only ... Paid				3	1	Section 22, Act X of 1872.		...	...	2	1			Tahsildars ...			606	1,328	...	...
Unpaid				9	1			1	3	3	2			Canals, Customs, and Forest Department Officers, Honorary Magistrates.			397	...	...	...
Local Magistrates of 2nd Class exercising Civil and Criminal powers Paid				112	1	Section 22, Act X of 1872, and Section 8 of Act XIX of 1865.		4	...	4	104			Sub-Collectors, Superintendents of general Administrative work and Registration.			16,057	64,062	26,236	...
Unpaid				24	1			...	...	...	23			Honorary Magistrates ...			5,018	4,288	368	...
Small Cause Courts, confined to their proper functions				16	1	Tries cases under Act XI of 1865 up to Rupees 500...		1	9	7	...			... ...			...	37,206	...	9.
Small Cause Courts exercising also ordinary Civil and Criminal powers ...				...	...			...	3	7	...			... ...			2,581	1,789	...	...

Boards of Magistrates (Unpaid)			3	*6	Section 22, Act X of 1872.		...	...	...	31			City Magistrates ...			3,957	1,601	697	...
Magistrates of 1st Class exercising Criminal powers only (do.			7	1	Section 22, Act X of 1872.		2	4	1	...			Superintendents of Jails ...			1,104	1,393	...	...
Magistrates exercising Criminal and Civil powers ...Paid			139	1	Section 22, Act X of '72, & Sections 10 & 11 of Act XIX of '65. Deputy Commissioners hear appeals from the orders of 1st 2nd and 3rd Class Magistrates.		48	27	12	52	18,24,794	18,40,927	Local Funds, Municipal, Nazul, Court of Wards.			24,225	46,061	51,208	9,545
Magistrates exercising enhanced powers under Section 36 Act X of 1872			29	1	Section 36, Act X of 1872.		10	18	1	...			Road and ferry funds, Treasury, Registration, Administrative charge of the district.			742	...	...	...
Sessions Courts ...			12	1 Aided by 3 assessors in all Sessions trials.	Section 22, Act X of 1872, and Section 12 of Act XIX of '65; also hear appeals from the orders of 1st Class Magistrates.		3	2	7	...			Supdts. of Revenue Administration, Civil & Sessions Judge, Superintendent of Police, appellate and executive work. ...		82	513	859	606	7,362
Chief Court ...			1	3	Act IV of 1866.		2	...	1	...			No executive functions ...	...	28	3	8	...	2,125
Total ...			537	Aided by a Jury of 12 men in original Crl. trials.			77	74	68	354				...	110	73,056	3,23,393	82,968	19,032

Average number.

IMPERIAL RETURN.

No. 2.

STATEMENT OF OFFENCES REPORTED, AND OF PERSONS TRIED, COMMITTED AND ACQUITTED FOR EACH OFFENCE IN THE PANJAB DURING THE YEAR 1873.

Number.	Nomenclature of Offences.	Number of Section of Indian Penal Code or other Penal Law applicable.	Number of offences reported during the year.	Number of persons under trial during the year.	Number of persons acquitted and discharged.	Number of persons convicted or committed.	Died, escaped, or transferred.	Remaining under trial at the end of the year.
	NON-BAILABLE.							
1	Concealing a design to commit a non-bailable offence ...	118 to 120	3	22	19	2	...	1
2	Waging war against the Queen ...	121	1	2	1	1	...	...
3	Giving false evidence ...	194 to 196	6	14	9	3	1	1
4	Fabricating false evidence ...	194 to 196	2	2	2	...	...	...
5	Resistance to lawful apprehension and rescue ...	225	4	2	2	...	...	...
6	Counterfeiting coin ...	231 to 236	10	10	5	5	...	...
7	Passing and possessing bad or altered coin ...	239 to 243 & 250 to 254	153	184	79	105	...	...
8	Diminishing or altering coin ...	246 to 249	9	10	2	8	...	...
9	Murder by dacoits ...	302, 303, 396	1	...	...	...	...	...
10	Murder by robbers ...	302, 303, 396	9	13	5	8	...	...
11	Murder by poison for sake of robbery ...	302, 303, 396	17	29	5	23	5	...
12	Murder by poison from other motives ...	302, 303, 396	32	39	16	21	...	2
13	Other murders from motives connected with women ...	302, 303, 396	104	247	78	142	...	27
14	Other murders from other motives ...	302, 303, 396	191	401	126	245	3	27
15	Attempt to murder ...	307	87	75	40	34	...	1
16	Culpable homicide ...	304 and 304 A	207	414	115	291	2	6
17	Causing miscarriage ...	313 to 316	10	15	7	7	...	1
18	Grievous hurt by dangerous weapons ...	326	58	55	21	32	1	1
19	Causing hurt or grievous hurt to extort property or confession or to constrain a person ...	327, 329, 331 and 333	9	12	3	9	...	...
20	Administering stupifying drugs ...	328	52	51	34	17	...	...
21	Assault in attempting theft from person ...	356	24	21	12	9	...	...
22	Kidnapping or abduction ...	363 to 365, 367 to 369	248	263	133	111	4	15
23	Abducting a woman to compel marriage, or for defilement ...	366	47	100	53	43	1	3
24	Habitual dealing in slaves ...	371	3	1	1	...	...	...
25	Selling, letting, or unlawfully obtaining a woman for purposes of prostitution ...	372, 373	14	14	3	11	...	...
26	Rape ...	376	208	159	109	47	...	3

No. 2—*continued.*

Number.	Nomenclature of Offences.	Number of Section of Indian Penal Code or other Penal Law applicable.	Number of offences reported during the year.	Number of persons under trial during the year.	Number of persons acquitted and discharged.	Number of persons convicted or committed.	Died, escaped, or transferred.	Remaining under trial at the end of the year.
	NON-BAILABLE—*continued.*							
27	Unnatural offences ...	377	120	97	41	55	...	1
28	Theft of cattle ...	379 to 381	5,510	4,745	1,437	3,235	28	45
29	Theft, ordinary ...	379 to 381	10,521	8,813	2,332	6,375	24	82
30	Theft after preparation for causing death, or hurt or restraint of cattle ...	382	16	18	9	4	...	5
31	Theft after preparation for causing death, or hurt or restraint ordinary ...	382	10	8	4	3	1	...
32	Extortion by causing fear of death, or grievous hurt or accusation ...	386 to 389	6	16	11	3	2	...
33	Robbery in a dwelling house ...	392, 393	55	75	31	44	...	...
34	Robbery on the highway ...	392, 393	112	89	48	40	1	...
35	Robbery elsewhere ...	392, 393	158	143	76	63	3	1
36	Robbery with hurt or deadly weapon, by poison or stupifying drugs ...	394, 397, 398	12	20	11	9	...	...
37	Robbery with hurt or deadly weapon, by other means ...	394, 397, 398	25	18	6	12	...	...
38	Dacoiti ...	395, 398	45	76	37	34	2	3
39	Dacoiti with grievous hurt ...	397	2	4	1	3	...	...
40	Preparation or assembly for dacoiti ...	399, 402	1	8	...	8	...	...
41	Belonging to a gang of thieves ...	401	5	12	7	5	...	...
42	Criminal breach of trust ...	406 to 409	480	523	245	257	5	18
43	Dishonestly receiving stolen property ...	411 to 414	3,262	4,697	1,640	2,898	94	65
44	Serious mischief by fire ...	436, 438	111	53	30	14	...	9
45	Mischief to a vessel ...	437, 439	1	...	...	...	...	...
46	Mischief after preparation made for causing death or hurt ...	440	4	7	7	...	...	...
47	House-trespass in order to the committing of theft ...	451	34	34	9	24	...	1
48	House-trespass in order to the committing of an offence punishable with death or transportation for life ...	449, 450	1	1	...	1	...	...
49	House-trespass having made preparation for causing hurt ...	452	7	6	6	...	...	...
50	Lurking house-trespass or house-breaking ...	453, 456	2,606	420	108	310	...	2
51	Lurking house-trespass or house-breaking in order to the committing of theft ...	454, 457	7,253	3,261	1,186	2,020	12	43
52	Lurking house-trespass or house-breaking in order to the committing of an offence other than theft ...	454, 457	2,259	1,116	249	843	3	21

Number.	Nomenclature of Offence.	Number of Section of Indian Penal Code or other Penal Law applicable.	Number of offences reported during the year.	Number of persons under trial during the year.	Number of persons acquitted and discharged.	Number of persons convicted or committed.	Died, escaped, or transferred.	Remaining under trial at the end of the year.
	NON-BAILABLE—*concluded.*							
53	Lurking house-trespass or house-breaking having made preparation for causing hurt ...	455, 458	22	40	21	19	...	
54	Lurking house-trespass or house-breaking with attempt to cause death or grievous hurt ...	459, 460	72	36	17	19	...	...
55	Forgery or fraudulently using or possessing forged document ...	466 to 468, 472 to 477	46	64	41	18	2	3
56	Abetment of any offence ...	109	2	19	9	10	...	...
57	Attempting to commit offences punishable with imprisonment and in such attempt doing any act towards the commission of the offence ...	511	10	26	11	15	...	...
58	Grievous hurt by dangerous weapons ...	326	3	2	...	2	...	...
59	Fraudulent and unlawful marriage ...	493, 495, 496	12	21	13	4	...	4
	BAILABLE.							
60	Concealing a design to commit a bailable offence,	119, 120	2	4	1	3	...	...
61	Abetment of desertion ...	135 to 137	1	1	1	...	...	...
62	Personating a soldier ...	140	2	2	1	1	...	...
63	Being a member of, or joining, an unlawful assembly ...	143 to 145, 151 to 158	52	419	198	212	...	9
64	Rioting ...	147, 149, 152, 153	544	5,341	1,470	3,852	...	19
65	Affray ...	160	190	1,026	311	715	...	...
66	Bribery ...	161 to 165	191	248	168	70	...	10
67	Public servant disobeying a lawful direction with intent to cause injury ...	166	13	19	15	4	...	...
68	Public servant framing an incorrect document with intent to cause injury ...	167	6	6	3	3	...	...
69	Public servant unlawfully trading or buying property ...	168, 169	2	4	1	3	...	...
70	Personating a public servant ...	170, 171	29	35	11	22	2	...
71	Evading, disobeying or preventing service of summons ...	172, 174	124	233	53	178	...	2
72	Omitting to produce a document ...	175	2	7	...	7	...	...
73	Omitting to give information ...	176	46	112	47	64	...	1
74	Giving false information ...	177, 182	336	424	154	267	2	1
75	Refusing oath, answer or signature when duly required ...	178 to 180	2	3	1	2	...	...
76	Making false statement on oath ...	181	48	66	19	46	...	1
77	Resistance to the lawful taking or selling of property ...	183, 184	208	450	192	255	...	3

Number.	Nomenclature of Offences.	Number of Section of Indian Penal Code or other Penal Law applicable.	Number of offences reported during the year.	Number of persons under trial during the year.	Number of persons acquitted and discharged.	Number of persons convicted or committed.	Died, escaped, or transferred.	Remaining under trial at the end of the year.
	BAILABLE—*continued.*							
78	Illegally bidding at a sale ...	185	2	2	...	2	...	...
79	Obstructing or omitting to assist a public servant ...	186, 187	238	516	167	341	...	8
80	Disobedience to lawful order ..	188	439	1,188	315	871	1	1
81	Threatening a public servant with injury ...	189	6	15	4	11	...	...
82	Threatening with injury ...	190	1	1	1	...	...	...
83	Giving or using false evidence (simple) ...	193, 196	133	235	87	133	...	15
84	Fabricating false evidence or using fabricated evidence (simple) ...	193, 196	50	88	32	50	...	...
85	Signing or using a false certificate ...	197, 198	2	7	7	...	...	...
86	Making or using a false declaration ...	199, 200	12	15	7	8	...	...
87	Screening an offender by causing disappearance of evidence, &c., ...	201	26	62	18	36	...	8
88	Omitting to give information of an offence ...	202	46	102	47	54	...	1
89	Giving false information respecting an offence,	203	10	13	5	8	...	...
90	Secreting or destroying documentary evidence,	204	3	10	8	2	...	...
91	False personation in judicial proceeding ...	205	25	40	5	32	...	3
92	Fraudulently claiming or removing property to prevent legal seizure ...	206, 207	24	50	30	20	...	...
93	Fraudulently suffering a decree ...	208	2	3	3	...	...	...
94	False claim ...	209	31	53	24	22	...	7
95	Fraudulently obtaining or executing a decree ...	210	10	13	6	3	...	4
96	False charge of an offence ...	211	185	241	129	106	1	5
97	Harbouring an offender ...	212, 216	30	56	19	33	1	3
98	Taking gift to screen an offender ...	213 to 215	60	126	52	73	...	1
99	Public servant fraudulently defeating punishment of forfeiture ...	217, 218	8	8	3	5	...	...
100	Public servant omitting to apprehend or suffering to escape ...	221, 222	5	8	2	6	...	...
101	Public servant negligently suffering an escape,	223	61	110	21	89	...	...
102	Resistance to law, apprehension and rescue ...	224, 225	140	188	37	146	3	2
103	Insulting a public servant during judicial proceedings ...	228	100	203	8	195	...	...
104	Personating a juror or assessor ...	229	2	...	...	...	...	...
105	Making, selling or possessing a counterfeit stamp,	255, 258, 259	1	2	2	...	...	...

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	BAILABLE—*continued.*							
106	Using a counterfeit stamp as genuine ...	260	2	10	2	8	...	...
107	Using or preparing for use a stamp known to have been used before ...	261, 263	14	22	9	13	...	...
108	Using, possessing, making or selling false weights or measures ...	264, 267	105	168	50	118	...	...
109	Negligently or malignantly endangering human life ...	269 to 271, 279, 280, 282, 284 to 289	109	434	33	394	...	7
110	Adulterating and selling adulterated food ...	272, 273	53	69	13	56	...	...
111	Adulterating or selling adulterated drug ...	274, 275	4	6	1	5	...	...
112	Knowingly selling one drug as another ...	276	3	4	1	3	...	...
113	Defiling the water of a public reservoir ...	277	33	84	22	62	...	...
114	Making atmosphere noxious to health ...	278	10	21	8	13	...	...
115	Driving or riding on a public way to rashly or negligently as to endanger human life &c., ...	279	2	2	...	2	...	...
116	Obstructing a public way ...	283	66	393	42	351	...	...
117	Committing nuisance ...	290, 291	240	1,208	167	1,036	1	4
118	Selling or possessing obscene books ...	292, 293	23	34	11	23	...	...
119	Obscene songs ...	294	21	55	20	35	...	...
120	Religious insults ...	295, 297, 298	78	182	109	70	...	3
121	Disturbing religious assembly ...	296	5	11	5	6	...	...
122	Causing death by rash or negligent act ...	304 A	16	19	2	17	...	...
123	Attempt to commit culpable homicide ...	308	1	...	...	...	...	...
124	Attempt to commit suicide ...	309	212	190	65	124	1	...
125	Causing miscarriage (simple) ...	312	25	30	22	8	...	...
126	Exposing and abandoning a child ...	317	19	20	11	9	...	...
127	Concealment of birth ...	318	25	32	7	25	...	...
128	Causing hurt ...	323, 334	2,882	6,304	4,268	1,975	1	60
129	Causing hurt by dangerous weapon ...	324	153	270	85	183	...	2
130	Causing hurt to extort confession, &c., ...	330, 332	23	39	24	14	...	1
131	Grievous hurt ...	325	657	707	272	416	1	18
132	Grievous hurt on grave and sudden provocation,	335	40	82	20	62	...	...
133	Doing any act which endangers human safety,	336, 337	11	28	13	15	...	...
134	Causing grievous hurt by an act which endangers human safety ...	338	3	6	4	2	...	...

Number.	Nomenclature of Offences.	Number of Section of Indian Penal Code or other Penal Law applicable.	Number of offences reported during the year.	Number of persons under trial during the year.	Number of persons acquitted and discharged.	Number of persons convicted or committed.	Died, escaped, or transferred.	Remaining under trial at the end of the year.
	BAILABLE—*concluded.*							
135	Wrongful restraint ...	341	286	623	454	165	...	4
136	Wrongful confinement ...	342 to 346	193	396	305	85	...	6
137	Wrongful confinement to extort property or confession ...	347, 348	12	51	41	9	1	...
138	Assault or use of criminal force ...	352 to 355, 357, 358	17,433	38,123	30,062	7,848	7	206
139	Buying or disposing of any person as a slave ...	370	3	6	6	...	...	...
140	Unlawful compulsory labor ...	374	3	4	3	1	...	...
141	Extortion ...	384, 385	222	376	300	75	...	1
142	Dishonest misappropriation ...	403, 404	465	688	228	441	1	18
143	Cheating ...	417 to 420	627	907	562	310	5	30
144	Fraudulent disposition of property ...	421, 422, 424	9	11	4	7	...	...
145	Executing a deed containing false statement of consideration ...	423	9	24	8	15	...	1
146	Mischief (ordinary) ...	426, 427, 430 to 433	1,939	4,701	2,416	2,225	1	59
147	Mischief by poisoning or killing cattle ...	428, 429	451	668	437	228	...	3
148	Mischief by destroying land-marks ...	434	45	98	63	35	...	...
149	Mischief by fire ...	435	160	94	67	26	...	1
150	Criminal trespass ...	447	839	1,780	1,240	490	...	50
151	House trespass (simple) ...	448	398	521	280	234	...	7
152	House trespass in order to commit an offence (other than theft) punishable with imprisonment	451	41	37	22	14	...	1
153	Dishonestly opening a closed receptacle ...	461, 462	10	6	4	2	...	...
154	Forgery (simple) ...	465, 469, 471	108	290	108	169	...	13
155	Making or using false trade or property marks...	482 to 484, 486 to 488	2	3	2	1	...	...
156	Removing or destroying a property mark ...	489	6	19	10	9	...	...
157	Criminal breaches of contracts of service ...	490 to 492	31	58	27	31	...	...
158	Bigamy ...	494	125	296	245	33	1	17
159	Adultery ...	497	143	189	133	55	...	1
160	Enticing away a married woman ...	498	3,812	4,918	4,086	657	27	148
161	Defamation ...	500 to 502	179	282	209	72	...	1
162	Insult ...	504, 509	325	473	286	179	...	8
163	Criminal intimidation ...	506, 507, 508	77	143	108	35	...	...
164	Being drunk and disorderly ...	510	11	14	6	8	...	...
165	False statement, rumours, &c., circulated to cause mutiny or offences against public peace,	505	1	1	1	....	...	...

No. 2—*continued.*

Number.	Nomenclature of Offences.	Number of Section of Indian Penal Code or other Penal Law applicable.	Number of offences reported during the year.	Number of persons under trial during the year.	Number of persons acquitted and discharged.	Number of persons convicted or committed.	Died, escaped, or transferred.	Remaining under trial at the end of the year.
	OFFENCES PUNISHABLE UNDER SPECIAL AND LOCAL LAWS, AND UNDER THE CRIMINAL PROCEDURE CODE.							
166	Contempts and disobedience of orders ...	191, C. P. C.	1	6	...	6	...	...
167	Frivolous and vexatious complaints ...	209, C. P. C.	571	645	...	645	...	...
168	Procedure to compel payment of penalty by accused ...	396, C. P. C.	20	29	7	21	...	1
169	Procedure to compel payment of penalty by sureties ...	397, C. P. C.	30	40	10	24	...	
170	Penalty for non-attendance of juror or assessor,	414, C. P. C.	1	4	4	...	...	...
171	Procedure by police upon seizure of stolen property ...	415, C. P. C.	1	1	1	...	...	...
172	Contempts of Court ...	435, 436, C. P. C.	98	111	9	102	...	...
173	Security to keep the peace, Chapter XXXVII ...	489, 490, 491, 497, 502, C. P. C.	1,777	6,659	1,695	4,881	...	83
174	Security for good behaviour, „ XXXVIII ...	504, 505, 506, 514, C. P. C.	5,211	8,845	1,440	7,337	10	49
175	Local nuisances, „ XXXIX ...	518 to 529, C.P.C.	165	21	17	...	...	4
176	Possession „ XL ...	530 to 535, C.P.C.	82	171	130	40	...	1
177	Maintenance of wives and families, Chap. XLI,	536 to 538, C.P.C.	2,422	2,323	1,877	402	2	42
178	Breach of the laws relating to the Excise of spirits, Acts XXI of 1856, XXIII of 1860, XVI of 1863, XXVIII of 1864, and X of 1871,	...	360	592	183	403	1	5
179	Breach of the laws relating to Opium ditto	...	85	171	42	129	...	...
180	Breach of the laws relating to salt and saltpetre, P. P. C., Acts XXI of 1861, XIV of 1843, XXXVI of 1855 ...	...	214	374	48	325	1	...
181	Ditto ditto Customs ...	...	7	9	...	8	...	1
182	Ditto ditto Stamps, Act X of 1862, XXVI of 1867, and XVIII of 1869 ...	...	313	557	88	467	1	1
183	Ditto ditto Post Office, Act XIV of 1866 ...	...	18	23	8	14	...	1
184	Ditto ditto Paper Currency Act XIX of 1861 ...	...	2	2	...	2	...	...
185	Ditto ditto Electric Telegraph, Act VIII of 1860...	...	4	4	2	2	...	...
186	Ditto ditto Prisons' Act, XXVI of 1870 ...	...	52	66	13	53	...	...
187	Ditto ditto Forests, Act VII of 1865 ...	...	271	819	135	684	...	...
188	Ditto ditto Ferries, Regulation VII of 1819 ...	...	3	4	2	2	...	...
189	Ditto ditto. Canals, Acts VII of 1845, XXX of 1871...	...	604	1,905	610	1,284	...	11

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	OFFENCES PUNISHABLE UNDER SPECIAL AND LOCAL LAWS, AND UNDER THE CRIMINAL PROCEDURE CODE—*concluded.*							
190	Breach of the laws relating to Railways, Act XVIII of 1854 ...	...	114	149	21	127	...	1
191	Ditto ditto Stage Coaches, Act XVI of 1861 ...	...	21	35	11	24	...	...
192	Ditto ditto Printing Presses, Act XI of 1835 ...	...	3	4	2	2	...	...
193	Ditto ditto Gaming, Act III of 1867 ...	...	227	1,109	273	828	...	8
194	Ditto ditto Wandering and dangerous lunatics, Act XXXVI of 1858...	...	1	1	...	1	...	...
195	Ditto ditto Cattle Trespass, Acts III of 1857, V of 1860, XXII of 1861, I of 1871 ...	...	642	1,929	1,170	735	2	22
196	Ditto ditto Arms, Act XXXI of 1860 and VI of 1866 ...	...	168	214	68	145	...	1
197	Ditto ditto Apprentices, Act XIX of 1850 ...	...	38	27	25	2	...	...
198	Ditto ditto Cantonments, Act XXII of 1864 ...	...	2,861	5,272	276	4,990	...	6
199	Ditto ditto Village Watchmen, Regulation XX of 1827 ...	...	20	48	13	35	...	...
200	Ditto ditto Track Law (Local Rules), Act IV of 1872 ...	...	50	139	82	51	4	2
201	Ditto ditto Land-holders ...	...	1	6	...	6	...	...
202	Ditto ditto Nuisances, Section 34, Act V of 1861 ...	...	2,875	5,625	426	5,199	...	...
203	Ditto ditto other offences punishable under Act V of 1861 ...	...	68	195	13	182	...	...
204	Ditto ditto Breach of Police Act by Police Officers, Act V of 1861 ...	...	548	1,139	152	985	...	2
205	Breach of the laws relating to Nuisances under Act XXVI of 1850 ...	...	102	193	63	126	...	4
206	Ditto ditto Nuisances under Panjab Municipal Act IV of 1873 ...	...	2,465	4,186	584	3,572	3	27
207	Ditto ditto Other offences Act IV of 1873 ...	...	13	15	10	5	...	...
208	Ditto ditto Breaches of contract by artificers and workmen, Act XIII of 1859,	...	870	1,024	950	66	...	8
209	Ditto ditto Breach of Contagious Disease Act, XIV of 1868 ...	...	1	1	1	...	...	...
210	Ditto ditto Breach of Registration Act, VIII of 1871 ...	...	7	19	8	11	...	...
211	Ditto ditto Breach of Military Regulations ...	...	1	3	...	3	...	...
212	Purchasing soldiers' necessaries, stores, &c., Act VII of 1867 ...	...	4	5	1	4	...	...
213	Frontier Rules (Section 6) ...	...	210	565	128	370	...	67
214	Ditto („ 3) ...	...	3	3	...	2	...	...
215	Ditto („ 8) ...	...	25	52	13	37	...	2

IMPERIAL RETURN.

No. 3.

STATEMENT SHOWING THE GENERAL RESULT OF CRIMINAL TRIALS IN THE TRIBUNALS OF VARIOUS CLASSES IN THE PROVINCE OF THE PANJAB IN THE YEAR 1873.

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
	Number of persons dealt with.							Persons disposed of.									
Class of Tribunals.	Remaining at end of last year.	*Brought to trial during the year* 1873.				Received by transfer.	Total.	Discharged without trial.	Acquitted.	Convicted.	Committed or referred.	Died, escaped or transferred.	Total.	Remaining at end of year.	Average number of days during which case lasted.	Number of witnesses who attended.	Remarks.
		Under arrest by Police.	Upon warrant.	On summons.	Voluntarily.												
Unpaid Magistrates	75	5,507	758	15,541	410	3	22,294	1,822	9,140	11,148	27	6	22,143	151	6	28,210	
Paid Magistrates with local jurisdiction	346	20,251	2,913	35,544	2,502	12	61,568	6,560	24,159	30,395	89	30	61,233	335	8	70,855	
Paid first, second and third class Magistrates exercising jurisdiction throughout the district.	791	25,361	6,865	23,158	1,478	64	57,717	12,464	13,694	29,725	782	178	56,843	874	7	88,459	
Chief Magistrates of Districts, ...	49	4,496	451	1,474	267	9	6,746	817	749	4,898	73	63	6,600	146	8	9,163	
Total Magistracy ...	1,261	55,615	10,987	75,717	4,657	88	1,48,325	21,663	47,742	76,166	971	277	1,46,819	1,506	7	1,96,819	
Sessions Courts. Deputy Commissioners under Section 36 Act X of 1872 ...	31	1,259	187	196	26	2	1,718	328	114	1,244	9	3	1,698	20	11	11,563	
Sessions Courts. Commissioners ...	106	1,025	...	...	...	4	1,135	...	356	509	132	20	1,017	118	43	5,277	
Total ...	137	2,284	187	196	43	6	2,853	328	470	1,753	141	23	2,715	138	...	16,840	
Chief Court	...	...	3	...	...	...	3	...	2	1	...	...	3	...	3	23	
Grand Total ...	1,398	57,899	11,177	75,913	4,700	94	1,51,181	21,991	48,214	77,920	1,112	300	1,49,537	1,644	...	2,13,550	

IMPERIAL RETURN.

No. 4.

STATEMENT SHOWING THE PUNISHMENTS INFLICTED BY THE VARIOUS CLASSES OF CRIMINAL TRIBUNALS IN THE PROVINCE OF THE PANJAB IN THE YEAR 1873.

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38
CLASS OF TRIBUNALS.	PERSONS SENTENCED TO												PERSONS ORDERED TO FIND OR GIVE			DETAIL OF PUNISHMENT.																					
		TRANSPORTATION.			IMPRISONMENT.				FINE.		WHIPPING.					FINE.									IMPRISONMENT.										WHIPPING.		
					Rigorous.																				One month.		Six months.		Two years.		Seven years.		Above 7 years.				
	Death.	For life.	For a term.	Penal servitude.	With solitary confinement.	Without solitary confinement.	Simple.	Forfeiture of property.	With imprisonment.	Without imprisonment.	In addition to other punishment.	In lieu of other punishment.	Surety of the peace.	Recognizance.	Sureties for good behaviour.	Rs. 10 and under.	Rs. 50.	Rs. 100.	Rs. 500.	Rs. 1,000.	Above Rs. 1,000.	Total amount of fines.	Amount realized.	Amount paid by way of compensation.	Rigorous.	Simple.	Rigorous.	Simple.	Rigorous.	Simple.	Rigorous.	Simple.	Rigorous.	Simple.	Ten stripes and under.	Twenty stripes and under.	Thirty stripes and under.
Unpaid Magistrates	..	..	..	..	134	815	61	..	587	9,310	22	58	5	21	426	8,980	865	43	9	..	..	41,106	36,409	2,685	289	47	501	13	159	1	..	..	..	..	30	32	15
Paid Magistrates with local jurisdiction	..	..	..	..	805	3,841	237	..	3,744	22,508	92	1,008	7	32	277	22,795	2,338	103	16	..	..	1,00,671	1,34,492	11,239	1,456	175	3,003	52	187	..	..	..	..	..	338	523	237
Paid first, second, third class Magistrates exercising jurisdiction throughout the district	..	..	..	..	3,273	4,694	451	..	4,532	13,031	265	1,341	1,566	2,463	4,727	11,885	4,965	523	178	12	..	2,86,590	1,83,613	13,672	817	213	2,899	174	3,641	64	10	..	..	..	218	762	625
Chief Magistrates of districts	..	..	..	..	1,000	520	54	..	887	1,940	89	264	372	443	2,091	731	925	197	71	2	..	66,331	58,723	13,574	80	29	258	20	1,105	5	17	..	..	..	27	123	195
TOTAL MAGISTRACY	..	..	..	..	5,212	9,270	793	..	9,750	45,829	468	2,661	1,950	2,959	7,521	44,391	10,094	866	274	14	..	5,54,698	4,13,327	45,370	2,642	464	6,661	259	5,152	70	27	..	..	..	613	1,445	1,072
Section X (civil). Deputy Commissioners under Section 36 Act X of 1872	..	..	..	..	706	243	1	..	623	89	69	20	..	..	..	87	377	185	58	8	2	58,238	14,493	2,242	3	..	87	7	294	..	504	..	1	..	4	9	76
Section X (civil). Commissioners	132	97	18	..	122	235	5	9	184	23	4	9	3	3	29	8	72	75	49	1	2	35,823	8,040	1,712	7	4	36	1	110	..	180	..	24	..	..	2	11
TOTAL	132	97	18	..	828	478	6	9	812	112	73	29	3	3	29	95	449	260	107	9	4	94,061	22,533	3,954	10	4	123	2	404	..	744	..	25	..	4	11	87
Chief Court	..	..	..	..	..	1	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	1	..	..	..	..	..	..	..	..
GRAND TOTAL	132	97	18	..	6,040	9,749	799	9	10,562	46,001	541	2,691	1,953	2,962	7,550	44,486	10,544	1,126	381	23	4	6,48,759	4,35,860	49,324	2,652	468	6,784	261	5,557	70	771	..	25	..	617	1,456	1,159

IMPERIAL RETURN.

No. 5.

STATEMENT SHOWING THE RESULT OF APPEAL AND REVISION IN CRIMINAL CASES IN THE PROVINCE OF THE PANJAB DURING THE YEAR 1873.

1	2	3	4	5	6	7	8	9	10	11
Tribunals.	Number of persons or appellants applying for revision under Sec. 297, C. P. Code.	Number of persons: Appeals or applications rejected.	Sentences confirmed.	Sentences modified.	Sentences reversed.	Proceedings quashed.	Further enquiry or evidence ordered.	Pending.	Cases referred for revision to Chief Court.	Remarks.
Magistrates of Districts. Appeals from unpaid Magistrates	...	18	277	52	83	1	21	3	...	
Magistrates of Districts. Appeals from paid Magistrates	...	109	2,420	759	703	18	254	25	...	
Total ...	...	127	2,697	811	786	19	275	28	...	
Sessions Courts. Appeals from unpaid Magistrates	...	...	37	3	1	...	1	3	...	
Sessions Courts. Appeals from paid Magistrates	...	208	2,678	285	443	13	214	142	...	
Total ...	...	208	2,715	288	444	13	215	145	...	
Chief Court. Appeals ...	...	190	472	86	133	2	30	76	...	
Chief Court. Revision ...	455	536	143	73	182	15	10	161	115	
Total ...	455	726	615	159	315	17	40	237	115	
Grand Total ...	455	1,061	6,027	1,258	1,545	49	530	410	115	

IMPERIAL RETURN.

NO. 11.

STATEMENT SHOWING USE OF JURIES AND ASSESSORS IN THE CRIMINAL COURTS OF THE PROVINCE OF THE PANJAB IN THE YEAR 1873.

1	2	3	4	5	6	7	8	9	10
COURTS.	Established or average number of Jury or Assessors in each case, and prescribed qualification.	Number of cases tried by Jury.	Number of cases with Assessors.	JURY TRIALS. Cases in which Judge approved of verdict.	JURY TRIALS. Cases in which Judge did not approve of the verdict.	ASSESSORS' TRIALS. Cases in which Judge agreed with Assessors.	ASSESSORS' TRIALS. Cases in which Judge differed from Assessors.	Note showing in what class of cases Juries and Assessors have been principally employed.	REMARKS.
CHIEF COURT	12	3	...	3	...	...	...	...	
Commissioners' Sessions Courts.									
Dehlí ...	3	...	34	...	...	32	2	In all Sessions trials.	
Hissár ...	3	...	15	...	...	10	5		
Ambálah ...	3	...	43	...	...	43	2		
Jálandhar ...	3	...	51	...	...	48	2		
Amritsar ...	3	...	61	...	...	27	4		
Lahore ...	3	...	72	2	...	66	6		
Ráwalpindi ...	3	...	42	...	...	40	2		
Multán ...	6	1	48	1	...	48	...		
Deraját ...	3	...	48	...	...	45	3		
Pesháwar ...	2	...	98	...	...	93	5		
Total ...	3	1	486	3	...	452	31	...	

APPENDIX II.

I.—CRIME, GENERAL AND PARTICULAR.

Captain Gordon Young, Deputy Commissionor, Hoshiárpur.

Infanticide.

The subject of Infanticide is one which presses for speedy orders.

I have no doubt about the crime bring rife in the district, and measures of prevention and detection are loudly called for. The subject is believed to be under the consideration of the Government, and it is to be hoped that some action may soon be taken.

Assault.

This class of cases gives infinite trouble, and though it is a simple thing to say that Magistrates should not give summonses in these cases too readily, it is a matter of very great difficulty to judge when it is right to withhold summonses; the complainant does not stick at an oath in implicating his assailants by the dozen, and can generally produce as many witnesses as he likes to swear with him.

There must always, as it seems to me, be an enormous proportion of acquittals under this class of cases, and I see no help for it.

There were 481 persons charged with criminal trespass, as against 179 in the preceding year. The number of cases was 220 this year as against 97 last year. This is due to two causes principally, one explained by me at length in my Civil Report, *viz.* that under the excuse that certain orders passed in relation to "khood kasht" lands mortgaged to money lenders, and in which it was proposed for the future, to intervene so as to obtain a right of occupancy for the proprietor, were misapprehended; many misguided persons thought fit to enter upon and sow lands long since handed over either by decree of Court or by consent to such bankers and others, who immediately turned and sued them for criminal trespass.

The other cause is that it has now become the fashion here, and is probably traceable to the petition writers, to file a petition on an 8 anná stamp in many cases more properly cognizable by the Civil Court, in the hope of getting a summary order on the Criminal side.

Lieutenant-Colonel E. H. Paske, Deputy Commissioner, Kángra.

Kidnapping.

The low social and moral tone that prevails among certain classes of people in particular tracts in these hills, the prevalence of polygamy in certain tracts, polyandry too existing more than is acknowledged, the demand of well to do natives in the plains who are ready to pay largely for females from these hills, and the open traffic in females permitted in neighbouring hill states, are all causes that tend to increase the prevalence of kidnapping and traffic in females; not only will further legislative action be required, but we must secure the more active co-operation of particular hill chiefs before we can even check the pernicious traffic that still exists in the purchase of girls and women for marriage and for other purposes.

J. C. Cordery, Esquire, Deputy Commissioner, Gujránwálah.

It will be advisable, I think, to depute an assistant with full powers to reside at Háfizábád during three months in the year. And some addition to the *mounted* police force in the Bar might be of assistance in the pursuit of cattle-lifters.

Cattle lifting in the Bar.

Colonel J. Tighe, Commissioner, Multán.

With reference to adultery cases, the Deputy Commissioner Jhang regrets that the law on the frontier should not be made applicable to Jhang. I do not agree in his views, nor do I see how the Government can be charged with encouraging immoral conduct in married women so long as men are punishable for adultery.

Adultery.

Colonel H. A. Dwyer, Deputy Commissioner Sháhpur.

The state of crime in regard to non-bailable offences has remained almost stationery, there being a small increase of 12 cases due to thefts. The increase in cases of riots, assaults, and recognizances is due to disputes respecting the distribution of water. These were more numerous in consequence of the scanty rain-fall last August.

State of crime.

Cattle stealing is a very profitable calling; numbers have made a good living by it from their youth to old age, and a very sudden and marked decrease in this description of crime cannot be expected. I doubt if it can ever be stopped until the habits of the people of the Bar become changed. That will take place when a canal has been made across that pastoral tract, and the people are induced to follow agricultural pursuits. As it is, the crime is a pursuit in itself which is attractive to the young, and profitable to young and old alike. It has a clannish organization and a system. Its officers are known as well as the brokers through whose hands stolen cattle are bartered or exchanged, and the brokers' places of business throughout the jungle are known and recognized.

Cattle theft.

Lieutenant-Colonel H. B. Urmston, Deputy Commissioner, Rávalpindi.

I have often in former years advocated a change in the law similar to that now in force on the frontier by which women may be punished for adultery. There is but one opinion amongst the people on this subject, and they regard it as a decided blot upon our otherwise just laws.

Adultery.

I am also happy to report that cattle-poisoning (which though a bailable offence is just as bad as cattle-stealing) has been reduced by 34 cases during the year. Special efforts have been directed by myself and Mr. Ogilvie, Assistant Commissioner of Attok, to put a stop to this most cruel and cowardly crime, which is confined almost entirely to the Chuch Ihaqua in the Attok sub-division. Two years ago I made a representation through your office to Government, and proposed certain measures, which led to a general enquiry in the Police Department. Although it was not thought

Cattle poisoning.

advisable to sanction those proposals the attention of the Police Department was called to the subject, and the Magistrate of Attok has taken active steps to try and eradicate this most abominable practice. He has lately submitted a separate report regarding it, which I am about to submit after comparison with the Police statistics. Mr. Ogilvie is entitled to share the credit of these more favorable returns. His predecessor Zulficar Ally, Extra Assistant Commissioner, who only left the district last February, also interested himself in the same cause and tried hard to put a stop to it. The offence is invariably due to feelings of revenge and enmity amongst the Pathans, and I consider it a misfortune that it is not included in the list of crimes cognizable by the police, by which more prompt action could be taken without reference to the Magistrate, who may be on circuit 60 or 70 miles distant.

Captain C. E. Macaulay, Officiating Deputy Commissioner, Derah Ismail Khán.

Increase in crime.

Part of this increase is due to the greater number of prosecutions instituted this year against bad characters, as shewn in Class C., and part may be accounted for by the fact that formerly the police did not submit a charge register on the report of any non-bailable offence cognizable by the police in which complainant stated he did not wish an enquiry, so that such offences have not till the past year appeared in the reported crime. A charge register is now however despatched on the report of every cognizable offence made at any police station, whether complainant desires an enquiry or not; probably therefore this cause is sufficient to account for the increase in the number of reported crime as shewn in Class A, especially as the increase is confined entirely to those offences in which complainant often declines to prosecute, such as ordinary theft and house trespass for the purpose.

Captain R. G. Sandeman, Deputy Commissioner, Derah Ghazi Khán.

Murders.

The decrease in murder cases is very satisfactory. This year 7 were reported, or 6 less than during the previous year. Almost all the murders occur about women, and although perhaps it is somewhat premature to give a decided opinion I consider the punishment of women for adultery permitted by the frontier rules, has conferred a great boon on Beluch society, and that the good result reported I repeat is already showing itself in the marked decrease of crime hitherto caused by the misconduct of women. The status of Beluch society is entirely different from that of most native society.

On the frontier the men and women of all classes mix most freely together, and although adultery and murder cases in consequence are somewhat frequent, still on the whole the Beluch woman is true to her husband. It was on account of the primitive state of society that rendered a check necessary when proof was given of adulterous intercourse on the part of a wife, and if the injured husband could not obtain redress by applying to our Courts, old traditional custom, did he desire to retain his own self respect as well as that of his clansmen, forced him to take the law into his own hands and destroy the offending wife.

Beyond the border when a wife has committed adultery and proof is undoubted she is told to go and hang herself, which she generally does. If caught with her paramour both are cut to pieces at the time or whenever the injured husband gets an opportunity. As a rule the offence must be wiped out with blood, though occasionally a money payment or a betrothal is given in exchange for the injury done to the husband.

Lieutenant Colonel A. A. Munro, Commissioner and Superintendent, Deraját Division.

Statistics of crime.

The Deputy Commissioners of Dera Ismail Khán and Bannú explain at length how a just comparison of these statistics, *viz.*, the statistics of crime said to have occurred with those of former years, is scarcely possible. Heretofore, the correctness of the returns as to reported crime was fairly liable to question; but, during the year under report, the introduction of direct European agency and a nearer assimilation of the system of police working to that in force Cis-Indus has effected a marked change, the results of which will be more apparent in future years, as that under report may be deemed a year of transition in these respects. The Deputy Commissioner of Bannú especially notices the unreliable nature of some of the previous returns, as tested by himself; and I can, from personal knowledge and experience, endorse his confident assertion that the district of Bannú during 1873, enjoyed an immunity from internal and border crime, which had for years been unknown. Still a numerical increase is observable in all three classes of crime, proving merely, in the Deputy Commissioner's opinion, that more cases than formerly were sent up by the police, whilst there was really no palpable increase of crime as such.

Murders in Bannú.

Three murders in Bannú in excess of the number for the previous year, tend, in some measure, to show that the diminution in capital crimes for 1872 could scarcely be taken, of itself, as justifying too sanguine views in regard to the probable permanent results of the efforts of the local officers, to meet and repress this most heinous of all crimes, which, in some of the preceding years had largely increased. The number for the year under report will, it is believed, bear no unfavorable comparison with the general average of the last 5 years, and it is demonstrably certain that a large proportion of the culprits were brought to justice.

Offences against local and special laws and Criminal Procedure Code.

The increase in class C. is generally accounted for by the greater number of prosecutions instituted against bad characters, especially in the Bannú and Dera Ismail Khán districts, in accordance with the lately repeated injunctions of authority on this point. It is in itself no unfavorable symptom, but rather the contrary.

Murders in Dera Ghází Khán.

In Dera Gházi Khán, there is a gratifying decrease in the number of murders for the year, as compared with 1872, and the Deputy Commissioner is disposed to ascribe this partly to the operation of the frontier rules, which are stated to have a deterrent effect upon the female portion of the community. A larger proportion of the murders committed in this district is attributable to the infidelity of women than in the upper districts of the Division, the Bilách, as often observed, being inexorable on the point of honor, and incapable of accepting a compromise in cash or otherwise, as is not unfrequently done by his more ostensibly haughty neighbour the Pathán. The fact noted by the Deputy Commissioner as to the subordination of trans-border women, caught in adultery, to the imperious dictates of their relatives, in the matter of self immolation, is unique.

Cattle theft.

A satisfactory decease of 112 cases of cattle theft is also noticeable in Dera Ismail Khán, where, especially in the Cis-Indus tracts, several organized bands of cattle thieves have been taken up and severe punishments awarded to the thieves, as well as their abettors in concealing and disposing of the stolen property.

Captain E. L. Ommanney, Deputy Commissioner Peshâwar.

The increase of 37 complaints for enticing away married women (Section 498 Indian Penal Code) is attributable to an increasing belief that our Courts can without difficulty do justice and punish criminals under the Frontier Regulation, and I think it also indicates the change gradually taking place in the character of the people; they certainly do bring cases into Court now that a few years ago would have led to bloodshed by taking the law into their own hands.

Enticing away married women.

That great increase in murders during the last few years is more apparent than real, for the reasons given by me in last year's report. Without doubt the systematic reporting introduced with the police system has a great deal to say to the bringing out of the sum total. For the last 2 years I have kept a private register in which I have entered every heinous crime, and also those cases of disappearance and poisoning brought to my notice by informers, anonymous and others. I have watched the working closely, and I have notwithstanding found cases, that if I had not taken them up and forced on the enquiry would not have been reported or entered as murder, but which undoubtedly were as bad murders as any committed, and resulting in two cases in the flight of respectable men as the enquiry proceeded. If this is the case now that under our system of more correct reporting cases can be burked, what must have been the case years ago. Further, only within the last few years have there been police at Rustum and Kutting, two new police stations; before the location of these stations very little crime was reported from their respective jurisdictions. Lastly, in the present year's returns it will be seen that 22 cases of heinous crime other than murder eventually amounted to murder. Now, in former years, if a man had been convicted of seriously injuring and got punished, and the injured man subsequently died, I question such death being reported and prosecution of murder being instituted.

Increase in murders rather nominal than real.

In cases of disappearance, poisoning, even in stabbing cases, I can understand their being committed and yet no report being made.

In 1872 I know of a case in point: it was first reported as a disappearance by a relation, and after frequently calling on the police to investigate, the body of the murdered man, till then buried in the court-yard of his own house, was secretly conveyed away, the Police being in the village at the time.

On the subject of murders the normal crime of this district in my opinion is the same as that recorded in last year's report, and as I then anticipated there has been a decrease, and I hope I shall be able to say the same next year; but until the present generation passes away I do not believe we shall ever greatly diminish the crime. It is wonderful the change that our rule has effected in 25 years: security for the lives and property of the public has been obtained, the character of the people within and on our border has been greatly changed. Our Courts are now resorted to in cases that would only a few years ago have led to riot and bloodshed.

Murders.

Even in the next generation as long as the rugged hill border is independent and the people are armed no great diminution of this particular class of crime will take place, nor can it be expected.

D. Macnabb, Esquire, Commissioner, Pesháwar.

Thefts.

It is encouraging to note that in the Peshâwar district, while thefts and receiving stolen property have in the year under report decreased respectively by 34 and 21 cases, there are no less than 445 fewer cases under all the heads that may be included in the term burglary.

This fact more than any other shows a modification of the lawless disposition of the Peshâwaris, and I think it may fairly be considered a result of the efforts of the local authorities in police management, and other administrative measures.

Steady decrease in non-bailable offences.

The statement of non-bailable offences shows that these have been steadily decreasing in the last three years. It is also satisfactory that there were only 52 cases of of rioting and 20 of affray in 1873 against 82 and 44 in 1872.

Enticing away married women.

It is also a favorable sign that men more freely bring complaints into Court of their wives being enticed away, instead of following their natural inclination of righting their own wrongs.

The Additional Commissioner observes that "the increase in cases under Section 498 may partly be attributed to the causes noticed in reference to a similar increase in Hazára, viz: that it is probably owing partly to the operation of Chief Court's Circular No. X of 1872, which points out that the question whether a woman is married or not can be investigated by the Criminal Court as well as by the Civil. The object of prosecutors in many cases instituted under Section 498 is to recover their wives, and this view is strengthened by the small number of convictions. If this can be done by a Criminal prosecution, why should the more expensive mode of a Civil suit for custody be adopted?"

There are (in the Hazára district) three times the number of cases of enticing away married women than there were last year, but as it appears that the Civil suits for the custody of wives have decreased in exactly the same proportion, I think the Deputy Commissioner is right in saying that the cause of the change is that the injured husbands find the Criminal process cheaper and more satisfactory than the Civil.

PART II.—PROCEDURE.

Deputy Commissioner, Gurdáspur.

Dismissing complaints *ab initio.*

As regards dismissing complaints *ab initio*, this procedure might perhaps be more freely resorted to; certainly summonses are too often issued at hap-hazard, complaints are not properly examined, and sufficient importance is not attached to the issue of a summons. In the Police Courts at home an application for a summons involves some preliminary enquiry, but ordinarily in this country the mere filing of a stamped petition is sufficient to haul the accused to Court.

But at the same time a complaint can only be rejected after going fairly into it, which requires almost as much time as the hearing of the case itself. Admitting therefore that there is a tendency amongst officers to think that preliminary enquiry is superfluous, as it must all be gone through again when the accused comes, yet, for all this, it is most easy for a petition writer to draw up a *primâ facie* case, and most difficult to dispose of it without summoning accused. I do not therefore expect to see much improvement in the results of enquiries in non-bailable cases.

Mr. J. W. Smyth, Deputy Commissioner, Lahore.

Cases struck off the register of reported crime.

Under orders which I issued in 1872, no case is struck off the register without being first submitted for the inspection of the Deputy Commissioner. Very satisfactory reasons must be assigned by the police before a case is struck off, and I always prefer to leave a doubtful case on the register rather than strike it off. In very many cases the applications made by the police to have cases struck off were refused.

Major H. B. Urmston, Deputy Commissioner, Rávalpindi.

Striking cases off the register, upon application of police.

The subject of striking off reported cases as not having occurred, on the requisition of the police, having been specially brought to notice by the Commissioner during the year, and attention called to the number struck off in 1872, steps were taken by me to ascertain how far such cases (135) had been correctly disposed of. The result of an examination of the files went to show that with very few exceptions the Magistrates had rightly permitted them to be struck off. At the same time, there was reason to doubt whether every Magistrate gave as much consideration to such applications from the police as the cases deserved.

The attention of the District Superintendent of Police was directed to the matter, and he was requested to look carefully into the subject. He has lately issued orders to his subordinates which will I think prove an efficient check against any hasty applications of this sort, and he has informed me that he now personally examines all such cases before they are sent up to any Magistrate. To ensure a still more complete check, I have directed the Magistrates to refer all such cases to me, so that in future there will be double check upon this practice.

The effect of these measures will not however be apparent till the close of 1874, as they were not brought into complete action till late in the past year.

Colonel O. J. McL. Farrington, Commissioner, Rawalpindi.

Preparation of cases committed to Sessions.

I would observe that it would seem desirable to issue some further general instructions regarding the preparation of cases for the Sessions Court. Cases are investigated differently by different officers: some go fully into the matter, cross-examining witnesses on material points; others again are satisfied with there being grounds for committal, and leave much of intricacies of the case to be worked out in the Sessions Court, whereas there is no doubt that the evidence taken when the case is fresh, and when doubtful points both for the prosecution and in favor of the prisoner is the most reliable, and all points likely to require sifting should be gone into by the Committing Magistrate. In the interval witnesses either forget what really occurred, or else get talked over.

Captain R. G. Sandeman, Deputy Commissioner, Derah Ghazi Khan.

Application of frontier rules.

The application of the frontier rules has already had a most beneficial effect on women cases in this district. The returns show that this description of crime has been reduced one half.

Captain E. L. Ommanney, Deputy Commissioner, Peshawar.

Frontier rules.

The frontier regulations are good in their way, but if too freely resorted to may demoralize the police and Magistracy and ruin the villages.

Prevention is better than cure, and I should like to see a numerically stronger police, so that we could really have village beats and practically good police supervision; all that can be done with our small numbers is done. It is a weak argument to say that we have the same strength as districts Cis-Indus: what is the character of the people there as compared to the races in this district? An exceptionally strong police is required here, and all measures taken to check crime will lose much of their efficiency until the police are strengthened. When the crime has lessened the police can very easily be reduced.

Major W. G. Waterfield, Deputy Commissioner, Hazara.

Use of police agency in investigation of petty cases.

I find it has been the custom of the Lower Courts to forward most petty cases after examining the complainant for enquiry by the police under Section 146. This is wrong, and whilst it saves the complainant from the trouble which he is bound to incur if he brings petty cases into Court, it entails serious additional work upon the police, and gives them an opening for interference in petty cases which it is obviously most desirable to avoid.

D. C. Macnabb Esquire, Commissioner and Superintendent, Peshawar Division.

Frontier Rules.

I have no doubt whatever that the working of the frontier rules is beginning to have good effect, but they stop short in one or two instances of what is required to make them thoroughly effective, *e. g.* men acquitted on trial are freed from the liability of being brought before a *jirga* of elders, which should really be used as a means of cutting off the escape of men who are guilty but of whose criminality

sufficient legal proof is not procurable to satisfy a regular Court. Again, the Magistrate is not specially empowered to enforce the fines awarded by a *jirga* by alternative imprisonment; in preventive measures, the power to deport temporarily or permanently persons whose presence in a certain locality will certainly lead to bloodshed refers only to immigrants from independent territory, whereas such a power occasionally exercised over our own subjects would be a means of saving lives. However, as they stand the rules have enabled us to deal with 32 cases, in which without their aid murders would have gone altogether unpunished. This cannot fail to have a prohibitive effect on this, the characteristic crime of the district.

Great care is exercised in having resort to the fining of villages for short-comings connected with the arrest or conviction of murderers, and it is only in cases where the community are clearly to blame that fines have been levied; but even so they amount to a good round sum, proving how much as yet we have the popular feeling against us, in our attempts to check this monstrous evil.

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Captain Ommanney thinks there may be risk of the use of the frontier rules leading to slackness both in the working of the police and of the Magistrates. The abuse of these valuable regulations might do so, but in such a case the Magistrate of the district, and the Commissioner, would both be gravely to blame. These rules were intended not to supersede but merely to supplement the regular codes, and should only be worked when adherence to the regular procedure would fail to meet the ends of justice.

Forty-nine cases were dealt with under the frontier regulations, in 40 of which the accused were punished; whereas they would have escaped entirely under the regular system, and the sufferers would have avenged themselves at some future opportunity. It is obvious that these regulations must in time have a marked effect in checking crime in the district. Even now I consider that they have acted as a salutary check in the tendency of the people in parts of Hazára, which had been growing for some years past, to annoy their enemies by acts of mischief by fire or poison.

G. R. Elsmie, Esquire, Additional Commissioner Pesháwar.

Use of police agency for investigation of petty cases.

The remarks of the Deputy Commissioner regarding the use of police agency for the investigation of petty cases appear to be most just, and it is hoped that he will put a stop to the abuse of the practice. It is generally adopted by the class of officers whose tendency is to appoint commissions in every kind of contested civil cases rather than take the trouble to enquire into the matter in Court.

PART III.—PUNISHMENT.

Colonel J. F. Cracroft, Commissioner and Superintendent, Dehli Division.

Fine.

Nothing is more difficult than to apportion the fine to the means of the person fined. I do not think that an attempt is often made to find out this point. In some cases it would lead to delay. There is no doubt that the infliction of fine is the most valuable of all methods of punishment, and it is much to be regretted that it is not more often resorted to than imprisonment.

Whipping a failure as a deterrent.

However valuable for purposes of jail discipline and as an enhancement of punishment whipping may be, it fails to act as a deterrent, and is an unpopular mode of punishment with the respectable classes. The real deterrents would be a system of fines properly carried out, and rigour of imprisonment such as is not practised at present in our jails.

D. G. Barkley Esq., Deputy Commissioner, Jálandhar.

Realization of fine.

With reference to para 116 of the Chief Court's report for 1872, I have to remark that each district has an officer whose special duty it is to see that fines are promptly collected, but that the increase in the number of Courts, without a corresponding increase in establishments, which has been going on for some years, makes it in most cases impossible to relieve the Fine Mahurrir from all other duties. In Jálandhar an increase of establishment was applied for two years ago, and the number of Courts has in the meantime been increased, but the ministerial establishments are still on the scale fixed many years ago. Executive work under the control of the Chief Court must necessarily suffer in consequence, as is the case with executive work in other departments.

R. T. Burney, Esq., Deputy Commissioner, Gurdáspur.

Cause of decrease in fines.

The decrease in the amount of fines imposed is partly due to orders enjoining the Courts to impose a fine in proportion to the offender's ability to pay it. The subject seems old enough, but it was found that the Courts fined the veriest beggars in large sums such as Rs. 50 and 60, when they could not pay as many annas.

System of realization of fine.

But on the whole, the system of realizing fines is somewhat unsatisfactory. Taking this as a fairly average year (as is shewn in the table given below) we find that only a little more than half the fines imposed have been realized, and that there is more than Rs. 7,000 lost to the State. It cannot be said that as the fines imposed this year may be realized 6 years hence, the money may eventually come in, for unless the yearly realizations correspond with yearly impositions there must of course be loss. Counting from 1868 inclusive we find that there have been in this district an average of 18,341 fines imposed, and an average of 11,468 fines realized, or an average yearly loss of nearly Rs. 7,000 during six years.

		Fines imposed.	Fines realized.
1868	... ...	12,378	8,773
1869	... ...	20,156	10,333
1870	... ...	18,678	10,401
1871	... ...	17,349	14,412
1872	... ...	22,402	12,994
1873	... ...	19,083	11,906
	Average per annum ...	18,341	11,468
	Average loss per annum ...	6,873	...

Judging from these figures it would appear that if any of these fines which are still legally realized be realizable in a future year the amount will not go far to make up the deficiency that will inevitably occur in that year.

Another point is worthy of note: Up to first June 1869 fines could only be realized within the district in which they were imposed. After that time they have been realized in other districts. We should naturally look therefore to a considerable increase in realizations from that time, but the per-centage of 1868 (before Act VIII of 1869 was passed) is better than there has been in four of the five succeeding years. It is therefore not probable that much assistance is given by one district to another.

At present we work at a great disadvantage. There are no statistics to shew how much of the fine realized is paid voluntarily and how much after attachment; but I believe that about three-fourths of the fines realized have been paid voluntarily, leaving a very small fraction of fines realized by coercive process. From which it may be inferred that very few people pay fines except those who wish to do so. In execution of decrees of the Civil Courts the Sheriff's messenger who attaches the property has the judgment-creditor to help him in pointing it out. Even with his assistance he collects but a small amount. But the peon who is sent to collect the fine is unassisted, except by the lambardar, who is often persuaded by the relations to protect the property of the accused. The peon, as there is no one to check his procedure, is easily brought round, and the result is that the lambardars usually report "no assets." The per-centage of realizations by attachment is insignificant, and the post of tahsil peon is much sought after. In this district the zaildar has now been required to affix his signature to the report of lambardar when he states that there is no property to attach.

The appointment of a fine collector, who would receive a per-centage on collections (in the same way as is done in the Tirnee) has before been advocated.

Lieutenant Colonel R. Young, Commissioner, Lahore Division.

Realization of fines.

I think we do well when we recover half the fines inflicted, for in our ignorance of our prisoners it is wise to try the experiment of fining, but in many cases we cannot expect to realize.

J. G. Cordery, Esquire, Deputy Commissioner, Gujrânwâlah.

Whipping.

The total number of persons whipped is 98, of whom 5 were juveniles out of 418 who were liable to that punishment under the Act, and 46 of these sentences were given by Magistrates native to the country. Those figures, if those of other districts at all correspond to them, will be a disappointment to many. But it is not only repugnance to this mode of punishment that actuates many officers in refraining from it, it is also disbelief in its real efficacy. The *deterrent* effect of whipping lies in publicity, and this our law rightly prohibits. As an adjunct to other punishment, and looked at as purely punitive, or as a means of enforcing discipline, it is inflicted with good effect upon hardened criminals. To juvenile offenders of ordinary class it is an adequate penalty by itself. But to the majority of those liable to it, *i. e.* to those who if they are sentenced are immediately afterwards let go their way, I would express my belief that its infliction alters the condition necessarily imposed by our law, is comparatively a trifle which they care very little for, and which in no way impedes them from returning forthwith to their old courses. When I was acting as Deputy Commissioner at Amritsar in 1864 I received a very strong representation on this subject, and subsequent experience has convicted me that the deprivation of liberty for a time is a far greater punishment to a thief than the momentary pain, unattended with public disgrace, which is attached to the penalty of whipping under the Act. I am conscious, however, that in this conclusion I differ from others who are probably better qualified to form an opinion than myself.

T. H. Talbot, Esq., Deputy Commissioner, Jhang.

Suggestion to combine whipping and fine.

It would be well if whipping and fine could be inflicted together. The two conjointly would be much more deterrent than either singly, and would relieve our jails.

H. K. Perkins, Esquire, Deputy Commissioner, Gujrât.

The law of fine.

While on this subject I beg leave to solicit the attention of the Chief Court to a serious defect in the rules which has appeared to me since my personal care has been given to this business. It is a well known custom, one to which I plead guilty of having formerly yielded, to inflict a fine which it is known the offender cannot pay in order to secure for him a substantial term of imprisonment. The result is that he does not pay, and suffers the alternative imprisonment; at the end of which he goes his way with a light heart, deeming the law to have done its worst. But he finds a couple of years afterwards that the sentence of fine is still in force, and the property he has acquired by honest trade, tillage or what not, is sold up, perhaps three years after he has left the jail and has begun to recover his character amongst his fellows; or while he is still in jail, the Magistrate strives to recover an unreasonable fine, and in the effort has to sell up the wife's spinning wheel, bullocks, and bedding, to the serious loss of comfort of the unfortunate children. While a small fine would have been paid, they stoutly dare the law to do its worst. As to exacting a ridiculous one, and indeed one which the Court never meant to be realized, the result is that the second Magistrate has to erect himself into a Court of revision of his predecessor's acts and remit a penalty which is preposterous and unjust, or also to go on with vain struggles to achieve an impossibility, meanwhile burdening his books with irrecoverable items. I would suggest that the time within which fines may

be realized be adjusted on somewhat the same principles as guide the terms for copy-right of books, that a fine be realizable during three years from date of sentence or one year after release of prisoner, whichever shall soonest happen, and that the Courts be instructed to state in their sentence their reasons for every fine in excess of fifty rupees, so that the Appellate Court may have its attention specially drawn to the matter, and that foolishly heavy fines on such folk as sweepers and weavers be not allowed to pass unchallenged by those Courts.

J. D. Tremlett Esq., Deputy Commissioner, Muzaffargarh.

Whipping.

The number of offenders sentenced to whipping is still very small, only 42 in all. I cannot but think however that the law itself is here most to blame. Whipping alone, except in the case of juvenile offenders, is generally regarded, and I think with reason, as too light a punishment for most of the offences for which it may be awarded; while the absurd results the wording of the Act produce in most cases of second conviction are of course obvious. So much of Act VI of 1864 has been embodied in Act X of 1872, that the rest might well now be repealed, and a short Act substituted providing that for certain offences (then I think the list might well be made more comprehensive than that in the present second Section) Magistrates of the first and second class might inflict not more than forty stripes alone, or such punishment as is provided in the Penal Code together with a whipping of not more than thirty stripes; and that on conviction of an offender for any offence so made punishable with whipping who has been previously convicted either of that offence or of any other so made punishable and contained in the same chapter of the Penal Code as the subsequent one, he shall be liable to a whipping of 40 lashes, which may be given by instalments, in addition to any punishment prescribed by the Penal Code, and finally providing for the case of juvenile offenders in terms similar to the present law. If any Act of this nature were passed whipping would be really available as a cheap and powerful instrument for the repression of crime.

Realization of fines.

During the past year, I have directed intimation of all fines to be sent straightway to the Tahsildar, with orders to inform the prisoner's friends, and if they do not pay to proceed at once to attach the property of the convict, as when the attachment was delayed it gave opportunities for concealing or transferring the property. The most efficacious way of effecting good realizations however, provided the Courts are careful to apportion their fines as far as may be to the means of the offenders, is to make our jail discipline so rigorous and unpleasant that the criminal's friends will no longer think they are serving him by collusive claims or similar devices.

Colonel H. A. Dwyer, Deputy Commissioner, Shahpur.

Realization of fine.

Orders for attachment issue if the fine in each case is not paid in 15 days. The list of outstanding fines is sent periodically to the Tahsildar, for realization, and I doubt if any better mode of realization can be suggested, unless it be to appoint a person specially to hunt up debtors and their property in the same manner as a decree-holder would his debtor; but in the employment of such a person there might be risk of oppression and corruption.

Colonel O. J. MeL. Farrington, Commissioner, Rawalpindi Division.

Realization of fines.

I would draw attention to the remarks of the Deputy Commissioner of Gujrát regarding the realization of fines. On receiving a report from him that he was taking up the matter I issued the instructions to the other Deputy Commissioners. I believe that it will be found, as observed by him, that fines have not unfrequently been fixed not so much with reference to the probability of the party being able to pay as with the object of ensuring a larger amount of imprisonment. I consider there should be a limit after the date on which a person has completed his imprisonment during which fine is recoverable.

Captain E. L. Ommanney, Deputy Commissioner, Peshawar.

Realization of fines.

A mode for realization of fines, as suggested in previous year's reports, would be to discontinue the sending of notices to the relatives of the offender, who on receipt of the notice remove or conceal the property to prevent its attachment; a warrant for the attachment of the property of the convicted offender should be issued at the time of passing the sentence; in some cases the low per-centage of realizations is chiefly due to fines being imposed by the Court beyond the means of the offender.

D. C. Macnabb, Esq., Commissioner, Peshawar.

Realization of fine.

I quite agree with the Deputy Commissioner that the only way to realize fines fully is to attach the property of the offenders at once without giving his friends an opportunity of concealing it. Upwards of Rs. 10,000 were actually paid in compensation to persons injured by offenders brought to justice.

Fines—Hazára District.

The propriety of the practice noted by the Deputy Commissioner of Hazára of inflicting fines proportioned rather to the gravity of the offence than to the ability of the offender to pay, with the object of securing by imprisonment in lieu of the unpaid fine a punishment heavier than the Magistrate could inflict as a direct sentence of imprisonment, is open to question. The procedure provided for in Section 46 of Act X should be followed in such cases.

PART IV.—PREVENTINE JURISDICTION.

Colonel J. E. Crucroft, Commissioner, Delhi Division.

Enhanced punishment.

More attention has been paid this year to the subject of enhanced punishments in cases of accused persons who have been previously convicted. The subject however does not receive all the consideration it deserves. On the one hand, it is to be feared that previous convictions are sometimes allowed to bias the mind of Magistrates in their finding, and on the other I do not think that Magistrates act up to the law sufficiently in cases of repeated offences clearly proved. The fact is that to carry out the law fully in this respect entails a good deal of extra labour, besides the probability of the proceedings being carried before the higher tribunals.

Colonel C. A. MacMahon, Commissioner, Hissár Division.

Whether the acceptance of security tends to defeat or to further the ends of justice.

The actual detention of a bad character in jail is no doubt beneficial, for a bad character cannot steal as long as he is there; but it may be questioned whether the acceptance of security for a bad character does not tend more to defeat than to further the ends of justice. Directly a leading member of an agricultural community becomes surety for a reputed thief, he and all his friends become thereby bound over to keep the thief out of every difficulty until the period of suretyship expires. In a Rohtak case that came before me recently, certain men rescued a thief caught in the act of stealing, simply because some one of their village was surety for him.

The punishment awarded to habitual offenders should be progressively severe.

My own opinion is that the punishment awarded to criminals previously convicted, should be *progressively* severe. An habitual criminal ought not to feel that the punishment he is likely to get on reconviction will depend mainly upon the temperament of the officer who happens to try him, and that it is a toss up whether he does not get on his 3rd conviction a less severe punishment than he received on his first.

Extract from Commissioner's Police Report for 1873.

In my report on the police administration for the past year, I offered the following remarks on the subject :—

"Heretofore this principle," *viz:* the principle that the punishment of criminals previously convicted should be *progressively* severe, "has not been generally kept in mind. I have "very frequently observed that terms of imprisonment imposed by Magistrates upon a second or "third conviction were less severe than the sentences passed upon the *first conviction*. Magistrates "in such cases have probably paid too much regard to the value of the property stolen, and too "little to the fact that that the criminal before them is an habitual offender. If a man commits "house-breaking for the second or third time it is pretty clear that he is a dangerous member "of society; and I don't think that the mere fact that the last time he committed burglary he "only succeeded in stealing an article of small value, is a valid reason for giving him a slight "punishment. It was not owing to any moderation on the part of the thief that the haul was "a poor one on the particular occasion when he was caught. The Magistrate should ask himself whether in the case before him, there is or is not reason to believe that the criminal is a "person habitually addicted to thieving. If the answer be in the affirmative, then exemplary "punishment should be imposed, no matter how small may be the value of the property stolen "in the particular case before the Magistrate."

Major E. P. Gurdon, Deputy Commissioner, Ludiánah.

Maintenance cases.

I fancy there is no doubt that most Native Magistrates, and indeed European officers of any experience and local knowledge of the ways and customs of the people of this province, are in accord as to the questionable advisability of giving much latitude to Section 536 of the present Procedure Code (316 of Act XXV of 1861). Magistrates rarely bring themselves to award separate maintenance, and it is generally looked upon as putting a premium on the immorality of native women and enabling them successfully to intrigue with other men at the expense of the unfortunate husband under the shield of our laws. The major portion of applicants under this section of the Code are unfaithful wives who have been detected by their husbands, and wish to obtain an independence which they believe the laws in this way affords them.

All intelligent natives that I have ever conversed with on the subject agree that unless this law is worked most discreetly and carefully it may cause great oppression, as it is opposed to the manners and customs of the people, and with female morality at so low an ebb it is a dangerous measure.

D. G. Barkley Esquire, Deputy Commissioner, Jálandhar.

While in camp in November and December, I could hear of but few cases of notorious bad character who had not already been proceeded against, and the general result of my enquiries was that the effect had been materially to diminish crime, and that men whose character had been somewhat doubtful were anxious to show that they were earning an honest livelihood. I consider however that, in future, unless in the case of very notorious criminals, these cases should ordinarily be taken up by Magistrates either in camp, or near the locality to which the accused belong.

J. W. Smyth, Deputy Commissioner, Lahore.

Security to keep the peace.

9. I attribute the large reduction, *viz.* in more serious offences against property, in the number of these cases mainly to the operation of two measures which were put in force during the year. One was to impose more adequate punishments for offences against property, and the other to enforce more rigorously the law relating to security for good behaviour.

10. In regard to punishments I called the attention of all Magistrates in the district to the inadequacy of the sentences which were usually passed, and I laid it down as a general rule that when any person was convicted a second time before a Magistrate of the 2nd or 3rd class for theft, burglary or receiving stolen property, or was convicted, even for the first time, of cattle-theft or burglary, he should be sent to the Deputy Commissioner for enhanced punishment under Section 46 of the Criminal Procedure Code. I also called the attention of all Magistrates to the provisions of Section 315 of the Code relating to habitual offenders. How far my instructions in this matter were carried out will be noticed hereafter when I come to the subject of punishments.

11. With regard to the taking of security from bad characters, I endeavoured to carry out the measure systematically all over the district, and as the operations were carried out on a somewhat large scale, it may be desirable to notice them here in some detail.

12. The *modus operandi* was this: I divided the work between myself and my assistants. I took up myself all the cases in the Sharukpur purganah and in parts of the Lahore and Chunian purganahs; Mr. Hawkins, Assistant Commissioner, took up those in the remaining part of the Lahore purganah, and in part of the Kasúr purganah; Major Gurdon, Assistant Commissioner of Kasúr, took up those in the remaining parts of the Kasúr and Chunian purganahs.

13. The cases were taken up in the marching season in the beginning of the year and were heard either in the villages where the accused resided, or in the immediate neighbourhood. My own practice was to march by short stages, to give timely notice to the police of the different halting places, with orders to bring up all the budmashes of the surrounding villages on the dates fixed, and any witnesses to character they might desire to offer, and especially two persons who would be sureties for them in the event of security being demanded. The Deputy Inspector of Police, the zaildar of the circle, and the lambardars of the villages were all to be in attendance. On the date fixed each village was taken up separately, and treated as a separate case, without regard to the number of bad characters it furnished. The evidence of the police officers and zaildar was always taken; often also the evidence of the lambardars, although in many cases it was worthless from the lambardars themselves being in league with the thieves. The statements of the accused and his witnesses were recorded, and final orders were passed at once. Security was almost always forthcoming at the time. If not, grace for a few days was allowed to the accused to produce sureties, and in very few cases (I speak of my own Court) was it found necessary to send the accused to jail for default in finding security.

14. In this way by hearing the cases near the homes of the accused they were almost always disposed of within the day; little inconvenience was caused to either the witnesses or the accused; security was readily forthcoming; and there were far better opportunities for ascertaining the real character of the accused in case of doubt than if I had been trying the cases at the head quarters station. Moreover, the effect produced on the people was much greater than if the cases had been heard at head quarters. It was known all over the purganah that the Deputy Commissioner was going about enquiring into the state of crime, and taking security from the bad characters. It was a subject of conversation and great interest everywhere, and people saw that earnest efforts were being made to put down crime. The opportunity was taken to enlist the co-operation of the zaildars, lambardars, and other men of influence in the same cause, and I think the statistics of the year furnish ample proof that the measure has not been without fruit. And the universal voice of the people bears evidence to the great diminution in thefts and burglaries which has taken place during the year, and to the great good that has been effected by the measure.

15. Towards the end of the year Captain Nisbet, Assistant Commissioner, and myself while in camp, resumed systematic operations against the bad characters, and throughout the year casual cases were sent up from all parts of the district. The following table shows the total number of persons from whom security was demanded during the year, and the number of those who were imprisoned in default:—

By what officers.	Total number of persons from whom security was demanded.	Number imprisoned in default.
Mr. J. W. Smyth, Deputy Commissioner...	693	20
Captain R. P. Nisbet, Deputy Commissioner, and Assistant Commissioner	316	43
Mr. C. R. Hawkins, Do. Do. ...	477	49
Major Gurdon, Assistant Commissioner	112	71
Ghalam Nabi Khan, Extra Assistant Commissioner ...	179	73
Other officers	74	44
TOTAL, ...	1,851	300

16. The above table shows a considerable difference in the different Courts in regard to the number of persons imprisoned in default of furnishing security. The number is very small in my own Court, and the reason may be that I generally allowed the accused a few days' grace to find security. It is not the object of the measure, nor is it desirable, to fill our jails with such persons. The object which I kept in view was to put bad characters under the restraint of security, and I encouraged them to find security if possible. It was only very reluctantly that I sent any of them to jail. The numbers sent to jail from Captain Nisbet's and Mr. Hawkins' Courts were not large, but they were large from all the other Courts. Major Gurdon and Ghulam Nabi Khan were in charge of the Kasúr sub-division, where there are many very notorious bad characters, from whom heavy security was rightly demanded; and it may be on this account that security was furnished less readily in their Courts. As regards the Courts at the sadr the relatively high number imprisoned is, I consider, due to the cases having been tried at headquarters. Some little time must usually elapse before security is furnished in these cases, and in the meantime the accused are sent to jail, but are usually released a few days afterwards.

17. In considering the table above given it must be borne in mind that persons are entered as imprisoned in default who may have been in jail for perhaps only a day or two, while their friends were making arrangements to get security for them. Thus I have ascertained that of the 300 persons shown above as sent to jail, 187 were released after short periods:

6 were released after one day
17 " " after periods varying from 2 to 5 days.
40 " " " " " from 6 to 10 days.
34 " " " " " from 10 to 20 days.
20 " " " " " from 20 to 30 days.
37 " " " " " from 30 to 60 days.
33 " " after longer periods.

18. Before quitting this subject, I may observe that I was well aware, as were also the experienced officers who assisted me in carrying out the measure, that it is one which is peculiarly liable to abuse, and may be made an engine of great oppression to the people. Our

constant efforts were directed to prevent abuses,—to see that persons were not accused simply to gratify some spite on the part of the police, or of the zaildar, or lumbardars, or other persons in authority ; to see also that the real bad characters were sent up, and that the police and lumbardars were not making a more show of vigour by sending up chooras and other low classes while the real offenders were screened for a consideration; to see moreover that persons were not sent up simply because their names appeared in the police register of convicted offenders (No. IX) but that their *present* character was such as to justify their being put on security. I was particularly careful in dealing with cases of persons who had not been previously convicted of any offence, for there is a very great distinction between the case of a man who is merely suspected of being a thief, and of the man who has already been convicted of theft, and against whom suspicion still exists. In case of the former class when there was any doubt I always took care to give the accused the benefit of it.

J. G. Cordery Esquire, Deputy Commissioner, Gujránwálah.

Offences under the Indian Penal Code, and Local and Special Laws.

Security for good behaviour.

The ordinary proportion of offences under Indian Penal Code to those under other laws is upset this year by the rigorous action taken by the late Officiating Deputy Commissioner under Act X of 1872, no fewer than 207 cases having been taken up for the requiring of security for good behaviour, in which 584 men were involved ; of these, 38 men were acquitted, security being demanded from 546, and of these last 480 found what was required of them, the remainder being imprisoned.

The beneficial effects of this step are not perhaps so apparent in these returns as they are to any officer who (as happens to be the case in my instance) travels through the district comparing the complaints of crime that he receives now with those that he received two years ago. When Major Millar took this action, he at the same time issued very stringent orders regarding the necessity of reporting all crime, and added the patwari to the list of men responsible for such reports. The consequence is that I think the figures now much more nearly represent the actual number of offences committed than they have done for some years past. At any rate, I find now the fact of an *actual* diminution of crime this year as much a matter of congratulation amongst the people, as I found during the same season in 1871 its prevalence a matter of complaint. This may partly be ascribed to the excellence of the harvest during the year. But it is also popularly attributed to the restraints now put upon men of notoriously bad character ; and though the number of men so stigmatized may appear large for a single district, no petition has yet been presented to me by any of them for a reconsideration of their cases ; on the other hand, several petitions have been presented, praying for a relief on the part of the security from the responsibility thus incurred. The same view is also unanimously upheld by the Native Magistrates of the district. Security has been forfeited as yet in three instances only. I believe in the efficacy of the check, and in its gradually habituating men criminally inclined, to the quieter life to which their securities seek to reconcile them. The work under this section was mainly carried out by Major Millar himself and by Faquir Syud Jamaludin. On the whole, therefore, I prefer to consider that the apparent continuance of serious crime in *statu quo* is due rather to greater accuracy in the report of crimes and to the shortness of the period during which the check has been in operation than to any inefficiency in its nature.

Second convictions.

The total number of persons convicted on a second or third offence is 125, against 82 in 1872, and 63 in 1871. It is probable that this apparent increase is almost entirely due to greater accuracy in the police records ; such men are now sentenced very heavily ; 42 men have been sentenced to periods in excess of two years, but I do not find that any sentence has been passed under Section 75 Indian Penal Code. My complaint in this district would be rather that in some Courts there is a want of that discrimination which was desiderated in the report of the Chief Court last year ; and that some men convicted a second time on the pettiest charges are confounded with habitual offenders, than that there is any disinclination to send them up for enhanced punishment. But considering this to be a fault on the right side, I content myself with pointing out the error in individual cases instead of altering the general order laid down by Major Millar.

Lieutenant Colonel R. Young, Commissioner, Lahore Division.

Second Convictions.

Of second and more convictions the number has largely decreased in the Lahore and Firozpur districts. The Deputy Commissioner Lahore assigns this to the effects of the measure previously noticed, viz : taking security from bad characters, and he is doubtless right to a certain extent ; but the result has not been the same in Gujránwálah, where the measure was, if anything, more rigorously carried out. In this district the number has increased from 82 in 1872 to 123 in 1873. The Deputy Commissioner however is of opinion that the measure is "apparent" only, and probably entirely due to greater accuracy in the police records. He also notices a tendency on the part of some of the Courts to confound some men with habitual offenders, who perhaps have been convicted a second time on the pettiest charges. This is, however, as the Deputy Commissioner remarks, a fault on the right side.

H. E. Perkins, Esq., Deputy Commissioner, Gujrát.

Security.

A great deal has been done under Chapter XXXVIII. The prevalence of crimes against property was a noticeable feature in this district and I set myself to cope with it, and the result has exceeded my most sanguine expectations; 185 persons have been ordered to give security for good behaviour, of whom 21 were for three years and two for two years. Of these longer termed men only four are in jail in default under sanction of the Sessions Court, so that the number confined in proportion to those checked without any special severity is not great. A great part of these cases have been tried in my Court, *i. e.* 126 persons out of 185. The effect on the district has been highly beneficial.

In 1872 the number of crimes ascertained by the police to have been committed was 1,404. In 1873 it was only 951. In 1872 the property stolen amounted to Rs. 36,362 and that recovered to Rs. 10,487 ; but in 1873 while the stolen property was only worth Rs. 21,900, the value of that recovered amounted to Rs. 9,006 ;—the per-centages of recoveries being 28·8 and 42·9 respectively. I have already shewn that the proportion of convictions has risen at the same time to 75 from 62 per cent, and I have stated the cause of this which has also worked towards ensuring large recoveries.

The three methods that have been adopted to secure these results have been : 1*st*, free use of Sections 505—507 Criminal Procedure Code; 2*nd*, dismissal of thievish zaildars and lambardars, in other words enforcement of village responsibility ; 3*rd*, severe sentences on habitual criminals. These measures have been already reported to Government and to the Financial Commissioner, and I am grateful to say have met with their approbation. It is right that I should state that these very marked results have been obtained over only a portion of the year, as no measures were adopted owing to my illness during the winter till the end of February, so that during only five-sixths of the year was the subject properly under attention. This encourages me to hope for much more favorable results in future than even in the past. During the month of February in Thana Khorian, under the auspices of a master thief, who sat in the Lieutenant-Governor's Durbar, there were 20 burglaries ; during the month of June, when burglaries are most prevalent, there was not one, and so with other police sub-divisions.

And other preventive measures.

I have noted above that few persons are in jail in default of security, and this is true. But I find that an order to give security is of very little avail unless the accused is then and there subjected to jail discipline till he gives it, and has his hair cut. This prevents his going amongst his neighbours with any lying tale of escape from the law, and forces him to carry about for a limited period only the visible marks of his disgrace.

The terror inspired by these proceedings has been most wholesome, and has shewn me hat a district officer is now personally and alone responsible if, in times of moderate plenty, there is any excess of crime against property in his district. The limitation of appeal in the bad livelihood cases arms him with vast power, which he can exercise to a degree of profit that I had very little notion of ; the trouble is that very few Magistrates look properly at the *factum probandum* in a case of this kind. The point to be proved is simply and solely whether the accused has a bad reputation. Most Magistrates go into the question whether he is a thief. That is not what we want to know. Here is the *Vox Populi Vox Dei*. Once a Magistrate be statisfied that the accused is deemed a thief it is his duty to insist on his giving security, whether or no he has been previously convicted is only an evidentiary fact—not the fact to be proved. Some of my heaviest orders have been against unconvicted receivers, and these have checked crime more than dozens of proceedings against convicts. There is another point requiring notice, that many Magistrates are very unreasonably afraid of the police, and slow to help them in consequence. I know that the police have been, and in some parts of India are, the curse of society, the makers of false charges, the protectors of criminals. But I am sure that in the Panjab we have run into the opposite extreme, and have consequently failed radically in our duty in aiding them. A statement by a police officer to some minds becomes *ipso facto* a suspicious one. So long as the Panjab system remains of a Deputy Commissioner knowing his people and being accessible to them the teeth of the police for mischief are drawn; and it is the Deputy Commissioner's duty, not indeed to take their statements or confessions made to them or under their influence as evidence, but certainly not either to hold every man an innocent victim because the police say he is a rascal.

The system of village responsibility should be rigorously enforced. In one village I have lately suspended all the lambardars for a year, with the proviso that if any one of them become meanwhile instrumental in detecting some of the many undetected crimes of his village he should be at once restored to office, and on the contrary if none of the undetected crimes were found out in that time they were all to remain permanently dismissed. This of course

Village responsibility.

can only be justly done where the number of undetected crimes is large, and only in a village not in a town. I am sure that if we consider how intimately as one brotherhood all a village community dwell together we should see much more fitness in this preventive measure than is now attributed to it. It is morally impossible that a lambardar in a village of 80 or 100 families should remain ignorant of the doings of any member of the colony. The scale of their domestic expenditure, their loves and hatreds, are all as open as day to friendly eyes, though they may not be so even to the police much less to British officers. It is quite fair therefore for the Government to insist on this knowledge being used for purposes of security and order, and to punish severely any abuse of it. The same remark applies the more forcibly to the head lambardar in each village, who gets 1 rupee per cent extra on the revenue, and yet more forcibly to the zaildar of the circle who draws still another 1 rupee per cent on the revenue of a larger or smaller group of villages besides an inam in land. Against such evil-doers therefore I have been very severe on the administrative side.

Colonel O. J. McL. Farrington, Commissioner, Rawalpindi Division.

Prevention.

The provisions of the law for the prevention of crime has thus been freely applied during the year, especially in the Gujrát district.

This is a necessary result of the instructions that have been issued by Chief Court regarding previous convictions and the suppression of crime generally. The Deputy Commissioner of Gujrát has written at length regarding the measures he has adopted for exacting village responsibility and for unearthing bad characters; there is no doubt that his energetic measures have produced a very good result, the district had evidently drifted into a bad state. Several lambardars had been appointed or had been allowed to retain their posts although they had been guilty of delinquencies rendering them unworthy. A list of these was submitted to the Financial Commissioner. Their conduct will be watched, and those who do not mend be removed. The Gujrát district is the only one in this division where there are zaildars. Certainly they do not appear a useful institution? There are far fewer men of weight and influence in the Gujrát district than in the others, and altogether the lambardars appear men of a lower stamp.

Repressive measures to the same extent have not been found necessary in the other districts. A few examples have been made. I have no doubt somewhat similar measures amongst the cattle-lifting classes of Shahpur would prove beneficial. Mr. Perkins deserves credit for his exertions; but with reference to his remarks, hoping for more encouraging results for the future, I would observe that if the measures adopted by Mr. Perkins are as effective as he states, the same necessity will not arise for carrying on a crusade against the lambardars and zaildars; it should only remain for the Deputy Commissioner to keep a firm hand on these men, the district having undergone a purging the result should be watched, and having brought these men to their senses and obtained security from a large number of men of ill repute, he should work his district on the new basis he has formed and watch the effect. We cannot expect perfection, and should work the material we have to the best advantage.

Having established a wholesome dread of the law and a full sense of village responsibility, it is desirable to keep an eye on the result; if a continued aggressive action is maintained towards them there is a risk of false witnesses rising up and trying to pull down one set of lambardars, &c., after another. With reference to the Deputy Commissioner's remarks that he

has suspended the lambardars of a certain village for a year under certain conditions of their old undetected crimes, great caution and judgment will be necessary lest anxiety to recover their lost position do not induce them to forge or fabricate evidence. In short, I consider that the measures taken have done good, but that the time has come for less salient action: that quiet and firm administration is now all that is needed.

T. H. Tolbort Esquire, Deputy Commissioner, Jhang.

There have been 15 cases under Chapter 37 of the Code, and 20 under Chapter 38. The attention of the police officer has been called by his own department, and I have issued instructions to the full-powered Magistrates subordinate to me.

Security to keep the peace, and for good behaviour.

There is no doubt that crime may be checked to a considerable extent by a judicious use of these provisions of the Code, but extreme measures should be avoided. I would however submit that this is a matter in which the separation of police and magisterial functions works badly. The police officer can do nothing without the Magistrate, and the Magistrate can do nothing without taking up the police officer's work.

J. D. Tremlett Esquire, Deputy Commissioner, Muzaffargarh.

As the decision of the Magistrate of the district is now final in such cases, it would I think be very desirable if a more summary form of record were allowed for them when enquired into in the first instance by that officer; for example, if a final order setting forth the purport of the evidence collectively, the defence set up by the accused, the fact of his calling evidence or not and the purport of such evidence, were made sufficient in the place of that prescribed in para 3 of Section 515 Act X of 1872.

Record of evidence in security cases.

Colonel J. Tighe, Commissioner, Multán.

I fear that much oppression is sometimes exercised by lambardars and persons of influence in bringing up such bad characters, and opportunity is also afforded for bribery. I believe a better organization of police and the extension of canal irrigation would do more to the stamping-out of cattle-lifting than any measures demanding security. The mass of cattle-lifters are not depraved criminals, but are among the most respectable of the young men of the country: they steal cattle as much for amusement and the excitement of the thing as for pure gain, and most would be ashamed to commit a petty theft. When it is considered that each of these 536 persons who may not be able to furnish security has to be provided for in jail at a cost to the State of about 4 Rs. a month, it may be doubted whether this money might not be better spent in patrolling posts or increased police in the Bar.

Security.

PART V.—APPEALS.

Commissioner Hissár Division.

Doubts in the minds of Appellate Judges in favor of prisoners.

It is a common saying that the accused should get the benefit of a doubt ; but then the doubt should be a reasonable doubt. A moderately ingenious mind might raise numerous doubts in almost every case. Further inquiry and a little explanation by the Magistrate who tried the case, would often remove a cloud of doubts. An inquiry sometimes appears radically defective on a superficial perusal of the Magistrate's notes, not because the case has been badly tried, but because the Magistrate has failed to epitomize the evidence well, or has neglected to put his reasons on record with sufficient clearness and force.

Hasty acquittals by Appellate Courts.

In the interests of justice, Appellate Courts should bear this in mind, before they too readily aquit men of whose guilt the Magistrates who tried the case have no doubt.

G. R. Elsmie Esquire, Additional Commissioner, Peshâwar Division.

The appeals for disposal were 205, or one-third less than in 1872. There were 90 fewer appeals from Peshâwar, owing doubtless to the decrease of crime shown in the Magistrate's and police returns, and to the new law which enables an Appellate Court to enhance an inadequate sentence.

I seldom reverse sentences without giving the Magistrate an opportunity of supplementing his former proceedings by additional enquiry or remarks. Notwithstanding the delay occasioned by this course I find that the average duration of appeals has not increased. It is my practice to hear every petition of appeal either on the day of or the day after presentation. It follows that all cases in which the guilt of the accused is clear from the judgment and in which enhancement of sentence does not appear expedient have a very brief duration.

PART VI.—GENERAL.

Colonel J. E. Cracroft, Commissioner, Dehli Division.

Cheap litigation.

I would invite attention to the remarks of the Deputy Commissioner Karnál under this head (cheap litigation). I agree generally in the views he has expressed, though I believe that one of the greatest boons which could be conferred on the country would be to stem the ever advancing tide of spurious litigation, rather than to encourage it by increasing the number of Courts in collectorate sub-divisions.

That the judicial agency in the Panjab requires to be strengthened is perfectly clear, but in my humble opinion it should be so strengthened in the Sadr Courts, in which and not in Tahsil Courts the mass of litigation unconnected with land revenue should be performed. With a sufficiently strong and well paid staff at each sadr station, under the eye of the principal Magistrate of the district, a larger amount of enquiry and investigation by Magistrates could be carried out locally, this being a point of great value in checking the vast spread of false evidence. A good deal of attention is paid to mere procedure, but much more attention might beneficially be bestowed on sifting and recording the evidence itself. A record may be apparently perfectly correct as to procedure and yet be utterly bad for the purpose of substantial justice. It cannot be too often urged that it is the high standard of the individual and not the number of inferior agents which will determine the quality of justice dealt out by the Courts.

Work performed by Tahsil Courts.

The work in the Tahsil Courts has been light in the Dehli district, fair in the Karnál, and too high in the Gurgáon district. My opinion as to the heavy burden thrown on Tahsildars has been somewhat modified by an inspection of their work and consideration of the general out-turn. The number of cases is no real criterion of labor. A single case often takes more time than scores of others. The litigation in tahsils is ordinarily of the simplest character, whether it be criminal or civil, except in the latter case when it is connected with land, and such cases are comparatively rare. It is a real misfortune that there should be so much trivial litigation in Tahsil Courts; but the remedy appears to lie in the direction of making such litigation more difficult by lessening the number of the Courts and by increasing its cost, especially in criminal litigation, which is capable of being turned to vexatious purposes. I think that experience shews that the more Courts are created the more litigation of the worst class increases, and that a multiplicity of inferior and cheap Courts induces the people to bring forward claims and complaints which otherwise they would settle among themselves. This multiplicity of Courts, with its train of concomitant circumstances, under-paid Judges, unscrupulous suitors, uncontrolled pleaders and perjured witnesses, promises to become a great evil, the extent of which it is almost impossible to over-rate.

It is practicable at the present time, by damming up the sources of the evil, to prevent its overflow; the current of which in future time it may be impossible to stem.

Colonel C. A. MacMahon, Commissioner, Hissár Division.

Magistrates and Sessions Judges directly interested in the success of the Police Administration.

It is important that Magistrates and Sessions Judges should keep in mind that they are directly interested in the success of the police administration, and that the latter depends very materially on the character of their judicial work. If unduly light sentences are passed, or if there is a

tendency to admit other than reasonable doubts in favor of prisoners, the police administration must suffer.

The fee on complaints should be raised for certain classes of cases.

I think, however, from the very high per-centage of acquittals to convictions (see para 24) in bailable offences under class B, that the fee should be raised for certain classes of cases. The proportion of persons acquitted to convicted under class B. was in Sirsa 131, in Hissár 97, and in Rohtak 80 per cent. In the three districts 764 persons charged with assault were acquitted to 375 convicted. I think that our Courts should give amends more liberally than they do in these cases, and also that the persons who take up the time of our Courts with groundless and frivolous cases, as above, should pay more liberally to the State for the luxury they enjoy.

Lieutenant-Colonel H. P. Babbage, Deputy Commissioner, Karnál.

Cheap litigation.

The bulk of the litigation which engrosses the energies of our district officers is mostly for the benefit of a class which pays no taxes, and does not even I believe re-imburse the Government for the expense of the Courts to which it so freely resorts. The cheap litigation of the present day appears in my humble opinion to be an evil of serious magnitude, but it is approved by Government and must be carried through. It is my duty however, I believe, while noticing the methods and character of its performance to put prominently forward the evils I see it produce; and if it must be maintained the sooner the proposals for a separate agency for disposing of civil cases is passed the better.

G. Knox, Esq., Deputy Commissioner, Rohtak.

Supervision of Subordinate Courts.

The work of English Magistrates is now effectually supervised and every case decided is brought to the notice of superior authority. This is however not the case with decisions of Native Magistrates, the abstract of such decisions is forwarded in vernacular and escapes observation at times. The supervision would be much more complete were all the registers to be prepared in English. I am strongly in favor of thorough supervision. If every Subordinate Magistrate knows his work will be looked over every month a wholesome check prevails. Every criminal case would thus be known.

Major General Reynell Taylor, Commissioner, Amritsar Division.

Assessors.

Assessors are invariably employed in Sessions trials. In 4 cases only had I occasion to differ from their opinion.

The duty falls so seldom on individuals that they must not be expected to make much progress in intelligence and efficiency. As I have before said their presence is most useful as watchers of the trial, but too much weight must not be given by the Chief Court to their opinions, for as a rule they are wonderfully lacking in solid ballast in the matter.

If an assessor's temper gets ruffled in the course of the trial by his action being checked by the Judge, or his opinions being flouted by his colleagues, he is apt to fall into

dudgeon for the rest of the trial, and only prominent conciliatory action on the part of the Judge or a victory skilfully given him over his colleagues restores matters to an equilibrium. In noting an assessor's opinion I take pains to give what appears to me to be the man's honest opinion after the salient facts of the case have been marshalled in review before him, as experience proves that if left to themselves they are much inclined to lump detail in reviewing a case. It is therefore necessary to remind them of the main facts, helping them also to see the strength of some portions of the evidence and the weakness of others. This process to my mind takes the place of a Judge's charge to a jury. When the above has been done the assessor questioned will give a sensible opinion enough, and that is the result which I note. It is valuable; but being in a manner led up to by the Judge, and perhaps different from the wild opinion which the individual was at first inclined to give, it must not be allowed too much weight when the Judge sees fit to decide in opposition to it.

In Amritsar the sentences passed upon 6 persons were enhanced on appeal, and in Gurdáspur in the case of 3 persons.

This new provision of the law will undoubtedly go a great way towards putting a stop to the practice of preferring an appeal as a matter of course simply because the law allows it.

Major E. P. Gurdon, Officiating Deputy Commissioner, Ludiánah.

Petition writers.

One of the first steps to relieve our Courts of this unsatisfactory waste of time and vexatious interference with the liberty of the subject would be the restriction within proper bounds and reduction of the number of petition writers, who are at the bottom of half the chicanery, forgery and subornation of evidence that prevail so largely.

It will doubtless be argued that it is very easy to put a stop to all the above causes of complaint by the opportunities afforded by the law as contained in section 144 of the new Procedure Code and section 66 of the old Act; but in practice I am confident there are few officers who will not support me in the assertion that, with the enormous increase of judicial work, the enhanced labor entailed by the Codes, the establishment of Pleaders, the race for averages or "*naksha ka zamana*" as the natives sarcastically term it; it is next to physically impossible to get through the tale of work in the Panjab and literally carry out the provisions of section 144 in its full integrity.

A well regulated fairly educated and respectable staff of petition writers would obviate much of the above described evils, and would lessen the Magistrate's labours, besides preventing a number of ideal offences under the Penal Code from appearing in the registers as committed.

J. D. Tremlett, Esquire, Offg. Deputy Commissioner, Muzaffargarh.

Summoning of witnesses.

In cases not sent up by the police, such as enticement of married women, &c., if the parties require witnesses they are called on to pay in the diet money, but if they produce their witnesses themselves nothing is paid them, and the same practice prevails in summons cases.

While on the subject of witnesses I would again call attention to my remarks of last year, that one great improvement on the present indiscriminate summoning of witnesses would be effected were Magistrates no longer required, as they virtually are at present, to ask the prisoner point blank if he wishes any witnesses to be called for him. So far as my own experience goes the accused is always forward in calling out for his witnesses to be heard, when he has any who he thinks will help him, while those, in nafios after the Court's plain question has given him the idea that he must call somebody, are such as in ninety-nine cases out of a hundred do his cause no good whatever; while the hardship on men, summoned as these prisoners' witnesses often are from long distances, who, when they arrive, can only say they know nothing whatever of the case, is very great indeed, and must contribute to the general unpopularity of our Courts. Indeed, both on the Criminal and Civil side I think that the unlucky witness is entitled to far more consideration than he always gets.

Summoning witnesses for defence.

Major J. Tighe, Commissioner, Multán Division.

The Deputy Commissioner Jhang remarks on the diary of witnesses as unnecessary. In this I cannot agree. I have always found it a most useful check on the Lower Courts, especially where a Native Magistrate presides. The remarks about the difficulty of inflicting sentences of whipping at out-stations are correct, and the matter is about to be remedied in the new Act—modifying the Criminal Procedure and Whipping Act.

Diary of witnesses.

I would call your attention to the remarks of the Deputy Commissioner Muzaffargarh regarding the summoning of witnesses. It is exceedingly inconvenient to be obliged to ask a prisoner if he has any witnesses to something unknown: he thinks it necessary to name some one generally as to character, and under the law the Court appears bound to call him, thus merely causing delay. I have found this specially a clog in disposing of cases under Section 36 Criminal Procedure Code. The intention of the law appears to be that when a prisoner states a particular fact which might have been witnessed by some one else he should be asked, have you any one to produce who saw you do a particular act? but the practice is in strict accordance with Section 251 Criminal Procedure Code.

Summoning witnesses for defence.

The deterioration of the criminal working of Muzaffargarh has been steady from year to year; the proportion of persons convicted to those arrested has fallen during the year under report from 65 per cent to 45 per cent, and the per-centage of cases in which convictions have been obtained to those admitted from nearly 57 per cent in 1873 to 38 per cent in 1878, a falling off in one of the most important signs of good police management of 19 *per cent* in one year. If this does not show something radically wrong in the police management of Muzaffargarh then there is no use at all in figured statements. The police in Muzaffargarh who came under my notice looked dirty and uncared for, there was none of the smartness and pride about the appearance of those whom I saw (certainly only a few at Rangpur) which shows that the eye of an efficient officer of the department is on them. The difference in crossing from the Jhang district, where the police appear well cared for and looked after, to the Muzaffargarh district was marked as to the smartness and bearing of the men.

Criminal administration of Muzaffargarh.

T. W. H. Tolbort Esquire, Deputy Commissioner, Jhang.

Witnesses are not often unduly detained, but the register seems to me an inconvenient one. It would be much better to trust to the good feeling of officers, and to impress this on them. If they are trusted with the decision of the case itself, I think they may be trusted to show due consideration to witnesses. No doubt it is important to call their attention to the subject, but the diary has a demoralizing tendency, and the time given to its preparation and examination may be said to necessitate so much extra detention of witnesses.

Diary of witnesses.

H. E. Perkins, Esq., Deputy Commissioner, Gujrát.

There is no particular system for giving diet money except that I usually give it to people who for any cause have been twice summoned or have been summoned from another district. No Court gives it but my own and the Assistant Commissioner's except through the police. Evidence would certainly be more easily procured and administration aided if financial considerations allowed it to be always given.

Diet money to witnesses.

Colonel A. A. Munro, Commissioner, Deraját Division.

In one or two cases assessors have been paid for attendance under the new rules. Payment when the assessor is not a man of considerable rank or means, will doubtless tend in some measure to popularize a duty, the honor and dignity of which are scarcely appreciated as they ought to be.

Assessors.

The Deputy Commissioner of Bannú makes three recommendations at the end of his report for greater power being given to the Magistrate of the district—1st, to prevent a bloody retaliation, or the exaction of the price of blood, after a case has been disposed of judicially, that the Deputy Commissioner should be empowered still to refer a case to a jury of elders, as the Waziris, in cases of homicide, are not satisfied with a punishment of imprisonment merely.

Suggestions for conferring increased power on Magistrate of District on the frontier considered.

It appears to me that the supplementary frontier regulation issued in July last, is sufficient to meet cases of this nature, if the latitude given by it to Deputy Commissioners be judiciously exercised. At any point, short of the passing of a judicial decision, the Deputy Commissioner is authorized to submit the case to a council of elders, should he deem that course to be called for. What he appears to wish for is punishment of fine, for the purpose of being paid as blood-money, to be imposed by a *jiryah*, in addition to the judicial punishment of imprisonment. I cannot see that this would be a palpable advantage.

2ndly. A power of punishment from his village of a man who has made himself so obnoxious to the community that bloodshed may be reasonably anticipated, as in the case of seduction of an unmarried female. I think, in practice it will be found that in most Patháń villages the offender voluntary absents himself, knowing his life to be in danger in such a case until he has satisfied the male relatives of the woman, according to Afghán usage; after which his return with safety would be assured. For the rest the law is it stands authorizes the taking of sufficient precautionary securities under certain conditions.

3rdly. I concur in Major Johnstone's view of the culpability of boy-dancing in Bannú, which tempts to the vilest and most unnatural of crimes, for which the pargannah of Bannú proper has ever been but too notorious. Jealousies thus aroused frequently lead to midnight assassinations, and an authoritative proscription of boy-dancing as a vile trade would prove a boon to a community which is gradually becoming more and more humanized under British rule.

Captain P. L. Ommanney, Deputy Commissioner, Peshâwar.

Forfeiture of property.

More free resort to Section 62 Indian Penal Code in confiscating all the property of criminals convicted would I am certain have a good effect; it is I know a very severe measure, but it must be borne in mind that the wife and family of a convict would never want for food or shelter, they would be supported by the relations; thus the punishment, as it ought to do, affects a larger circle, many of them feeling it who sympathised or aided in the convict's crime. By thus making a larger number of people feel the burthen of the crime of one man, a larger number will gradually be brought over to think that a contemplated crime is not worth the risk of the gallows, the loss of lands, and a perpetual fine in the burthen of supporting the family of the convicted felon; this exceptional severity can, like the police, be less frequently resorted to as the crime lessens.

Punitive posts.

Again, the imposition of punitive police posts has without doubt a great effect while the post is in the village, in checking crime, and I purpose resorting more freely to this system this year.

Other measures.

The gallows, an efficient police, a strong Magistracy, confiscation of property, punitive police posts, resumption of rent-free grants, deposition of lambardars, all of which are legal under the regular law if fully worked out, without doubt would give very great power; in addition there are the exceptional but very necessary frontier regulations to resort to when regular measures fail.

I consider that every measure, except a police efficient in numbers, and often in the hot weather a weak Magistracy, that can be carried out, is taken, and that a sudden or very great diminution of crime of the heinous character prevailing here is impossible. Considering what vast changes we have effected in so short a space of time there is every reasonable probability that as open fights, bloody riots and highway robbery have almost disappeared, so secret assassination will in time become an exceptional crime.

Commissioner Peshâwar Division.

Forfeiture of criminal's property to Government.

Forfeiting the immoveable property of criminals to Government under Section 62 Indian Penal Code is a measure the applicability of which to society in Peshâwar and Kohât I have never felt very sure about. It is however being tried in a few special cases.

G. R. Elsmie, Esq., Additional Commissioner, Pesháwar Division.

Decrease in commitments to Sessions Court in Peshawar district.

There was a great decrease of cases committed from the Pesháwar district, attributable in my opinion to the following causes :-

1.—Decrease in the occurrence of heinous crimes.

2.—Freer use of the frontier rules during this the second year of their being in force.

3.—Amendment of frontier rule No. 6, which permits the reference of accused persons to *jirgahs* after the Magistrates have exhausted every means to obtain conclusive legal proof against them.

4.—Increase of 8 cases disposed of by the Magistrate of the district under his enhanced powers.

Increase of commitments in Kohát and Hazára.

On the other hand, the number of cases from Hazára and Kohát have increased from 8 and 9 to 24 and 16 respectively.

In Hazára many outlaws, (offenders of former years) were brought to justice, and in Kohát the Magistrates were singularly successful in obtaining satisfactory proof against murderers. Ordinarily this task is much easier both in Hazára and Kohát than in Pesháwar, and it is seldom that the frontier rules are resorted to in murder cases in these districts. They are used for dealing with the less heinous crimes, such as mischief by fire, by poisoning, theft, &c.

Proceedings of the Hon'ble the Lieutenant-Governor, Punjab, in the [illegible]ue Department, No. 2023, dated 26th May 1874.

READ—

Annual Report on the Administration of Criminal Justice in the Punjab for the year 1873.

REMARKS.—The report was received on the 24th April, five days earlier than last year's.

2. Paragraphs 1 to 41 of the report deal chiefly with the state of crime, and will be more fully considered in connection with the report on the police administration of the year; but His Honor desires in this place to record his satisfaction at the marked decrease of non-bailable offences from 32,168 in 1872 to 31,194 in 1873, and especially of the crime of murder, which fell from 394 cases in 1872 to 354 in the year under report.

3. The result, His Honor observes, is attributed by the Judges of the Chief Court in part to the infliction of more deterrent sentences on heinous and habitual offenders, and the more rigorous enforcement of the law empowering magistrates to exact security from doubtful characters, to which the special attention of district officers was called last year.

4. The Lieutenant-Governor's best thanks are due to the district officers, and especially to Mr. J. W. Smyth, Deputy Commissioner of Lahore, Major F. J. Millar, Deputy Commissioner, Gujránwalah, Mr. H. E. Perkins, Deputy Commissioner, Gujrát, Mr. R. T. Burney, Deputy Commissioner, Gurdáspur, and Lieutenant-Colonel H. A. Dwyer, Deputy Commissioner, Sháhpur, for the exertions which have secured this favorable result, and to the Judges of the Chief Court for their valuable co-operation.

5. His Honor is further glad to observe that while the law has been vigorously enforced, it has been enforced on the whole with great care and judgment, and that magistrates seem fully alive to the fact that the power of exacting security for good behaviour, which the Legislature has placed in their hands, may, if carelessly or rashly exercised, be the means of great oppression.

6. Mr. Davies trusts that the well-regulated energy which has marked the magisterial administration of the Province during the past year will not be relaxed, that heinous and habitual offenders will continue to receive adequate punishment, increasing in severity with each new offence, and that the bad character may still feel that he is ceaselessly watched.

7. At the same time His Honor concurs in the opinion expressed by the Judges at page 37 of the report that no greater facility should be given for the working of the law than is already provided, and that in this view the suggestion of the Deputy Commissioner of Muzaffargarh, that the English memorandum required in such cases be dispensed with, is inadmissible.

8. His Honor is also glad to observe the testimony borne to the fact that the frontier rules are beginning to have a beneficial effect on crime, and that in this case also the exceptional powers granted to district officers are exercised with judgment.

9. There was an increase, it appears, in the number of bailable offences during the year, but this was mainly owing to—(1) the more rigorous enforcement of the law of security as above described; (2) the more frequent punishment of breaches of conservancy and municipal rules; (3) the working of the frontier regulations; and (4) the increased number of cases of enticing away married women brought before the Courts, especially in frontier districts.

10. The first three heads of increase are thus indicative not of a real increase of crime, but of increased energy in preventing and dealing with crime and the enforcement of sanitary regulations. The increased number of cases under the last head is not altogether an unfavorable sign, as it shows a growing willingness on the part of the people, especially on border tracts, to resort to courts of justice in this class of cases in preference to taking the law into their own hands. Upon the whole, therefore, the increased number of non-bailable offences may be deemed to a great extent matter for satisfaction rather than the reverse.

11. Considering the excessive amount of work devolving on the magistrates, perhaps the most unsatisfactory feature in the return is to be found in the steady increase of complaints of petty assault, which reached in 1873 the large number of 17,443 cases. This, however, is believed to be due to the reduction of the stamp fee chargeable on such complaints from one rupee to eight annas; but the Lieutenant-Governor is not prepared to recommend any enhancement, holding that although the accessibility of the courts is too often abused, it powerfully assists in the maintenance of order.

12. A new feature in the criminal administration of the year was the jurisdiction exercised by magistrates over European British subjects, under Chapter VII. of the new Code of Criminal Procedure. The jurisdiction, it appears, was exercised in as many as 75 cases; in 6 cases the accused was committed, in 30 cases was acquitted, and in 50 was summarily punished.

The number of cases in which the powers granted by the new law had to be put in force is proof that they were greatly needed, and it is a fact worthy of note and creditable to the magistracy that not a single complaint has reached the Government as to the manner in which these powers have been exercised.

13. His Honor proceeds to notice those portions of the report which appertain more strictly to the administration of criminal justice, and in the first place the agency by which judicial cases were disposed of. He observes that out of 72,799 cases brought to trial, as many as 9,485 were disposed of by the honorary agency of Jágírdárs and boards of magistrates in towns. It thus appears that the unpaid magistracy of the Province is beginning to afford very sensible help in the administration of justice, and he desires particularly to acknowledge the great assistance rendered in this behalf by Sirdar Ajit Singh, the Jágírdár Magistrate of Attari, in the Amritsar district.

14. His Honor heartily approves of and advocates the policy of thus associating the leading members of influential families and the principal citizens of our towns with the officers of Government in the administration of justice; but he is not the less sensible of the necessity for caution in the matter, and for investing with magisterial powers none but those who are fully fitted, by education and character, to exercise them. For this reason he has not found it possible to increase largely the number of the unpaid magistrates during the year, but in several cases the powers of existing magistrates have been enhanced, and an experiment has been made of investing certain members of the zaildár class with limited magisterial powers.

By degrees as the sons of our Native aristocracy grow up to man's estate, His Honor hopes that it will be possible for the Government to avail itself of the services of a larger number in the administration of justice, so that ultimately the bulk of the petty crime of the Province may be dealt with, as in England, by the agency of an unpaid judiciary, who find, in the dignity of their office and the honor of discharging an important public duty, sufficient remuneration for all the trouble involved therein.

15. The tahsíldárs appear as usual to have been over-weighted with judicial work, but the evil will, it is believed, be shortly mitigated or removed.

16. Some Deputy Commissioners, and especially those of Firozpur, Muzaffargarh, and Simla, appear to have taken up too small a share of magisterial work, while the Deputy Commissioners of Lahore and Gujrát appear to have gone to the other extreme, and taken upon themselves to dispose of cases which might have probably been suitably made over to subordinates.

17. The sessions work during the year increased, it appears, in every division, save those of Hissár and Peshawar, and the total number of cases was 562 as compared with 496 in the preceding year, but His Honor is glad to notice that the number of pending cases was only 20 in excess of the number in the year preceding, and that the average duration was increased by two days only. In the divisions of Ambaláh, Dehli, Jálandhar, and the Deraját, the cases, though more numerous than in the preceding year, were more promptly disposed of. In Amritsar the Lieutenant-Governor regrets to notice the average duration rose from 57 to 120 days.

18. The procedure in the courts generally, both in regard to the average duration of cases, whether original or appeal and in other respects, appears to have been good; the only defects noticed by the Chief Court being the too frequent issue of processes before careful examination of the complaints, and the neglect by Native magistrates to record evidence in their own hand as directed by Government Notification No. 1787, dated 23rd December 1870.

His Honor presumes that the special attention of officers has been called to both these points. It will be well also, His Honor thinks, if attention were called to the sparing use which has been made of the power of summary trial granted in Chapter 18 of the Code of Criminal Procedure.

19. With regard to punishments, His Honor concurs with the Judges of the Chief Court in thinking that the average amount of fine per head for the Province is too high, and he regrets to notice from the remarks of the Commissioner of Rawalpindi, the Deputy Commissioner of Gujrát, and others, that it has been the practice with some officers to impose fines which it is well known the offender cannot pay in order to secure for him a more substantial term of imprisonment. This practice appears opposed to Section 63 of the Indian Penal Code, which directs that fines "shall not be excessive," and should be discontinued. On the other hand, His Honor sees no sufficient reason for shortening the term of limitation within which fines may be realized from 6 to 3 years, as suggested by the Deputy Commissioner of Gujrát. The remarks of the Deputy Commissioner of Gurdáspur as to the difficulties attending the realization of fines are forcible, and it is matter for consideration whether the appointment of a special officer for their collection under the orders of the Court is not desirable. An expression of the opinion of the Judges of the Chief Court on this point is requested.

20. The rules permitting the grant of diet money to witnesses at the discretion of the courts appear from para. 86 of the report, to have been acted upon on very diverse principles in different districts. His Honor has no wish that the power of making payments to witnesses should be extravagantly used, but at the same time it appears but reasonable that *bonâ fide* witnesses brought from a distance to give evidence should be allowed their reasonable expenses, and to refuse diet money in every case appears very inexpedient. His Honor would be glad to be informed why this latter course was adopted in the district of Peshâwar.

21. The general remarks of officers contained in Part 6 of the appendix of the report on the subject of the increase of litigation in the Province will be considered in connection with the Report on Civil Justice, and the remarks upon police management will be reserved for consideration with the Annual Police Report. No further remarks of a special character appear to be called for. The administration of criminal justice appears to have proceeded upon the whole smoothly and satisfactorily, and His Honor having reason to be satisfied therewith, tenders his best thanks to the Judges of the Chief Court for their efficient supervision of the subordinate courts.

ORDERED,—That copy of the foregoing remarks be forwarded to the Officiating Registrar, Chief Court, for the information of the Judges, and for annexure to and circulation with the report.

By order, &c.

C. M. RIVAZ,

Offg. Secretary to Government, Punjab.

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